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THE
HISTORY OF CAPE COD:

THE ANNALS
OF
BARNSTABLE COUNTY

AND OF
ITS SEVERAL TOWNS,
INCLUDING THE DISTRICT OF MASHPEE.

IN TWO VOLUMES.

By FREDERICK FREEMAN.

BOSTON:
PRINTED FOR THE AUTHOR,
BY GEO. C. RAND & AVERY, 3 CORNHILL.

1860.

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OF
BARNSTABLE COUNTY,

INCLUDING
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BY
FREDERICK FREEMAN.

VOL. I.

"THE BENEFITS OF GOD ARE TO BE KEPT IN FRESH MEMORY, AND PROPAGATED
TO POSTERITY."— *Rev. William Leverich, first Minister on the Cape.*

BOSTON:
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1860.

TO THE
HON. DAVID SEARS, PRESIDENT,
AND TO THE
VICE PRESIDENTS AND EXECUTIVE COMMITTEE
OF THE
Cape Cod Association of Boston,
EACH AND ALL

HIGHLY AND DESERVEDLY DISTINGUISHED AND ESTEEMED;

TOGETHER NOBLY REPRESENTING

THE CIVILIAN, NOT COVETOUS OF OFFICE OR FAME;

THE JURIST, FOREMOST AMONG HIS PEERS;

THE ABLE ADVOCATE;

THE MERCHANT, OF LARGE VIEWS AND PROUD INTEGRITY;

THE ENTERPRISING SHIP-OWNER;

THE MAN OF LETTERS;—

THIS FIRST VOLUME,
INCLUDING THE HISTORY OF CAPE COD,

IS MOST RESPECTFULLY INSCRIBED,

BY
THE AUTHOR.

PREFACE.

THESE volumes are submitted to the public, without claiming for them that they are entirely free from mistakes or errors. Such total exemption can hardly be expected of a work of the kind. But that the present work is *as* free from any of date or fact, as the utmost care would effect, is confidently believed. It might, indeed, have been, in its details, more particular and circumstantial: but the aim of the writer has been to avoid prolixity, as also carefully to avoid offence to persons or families, so far as obligation to truth would permit.

The constant deterioration, and sometimes destruction, of public records, and the scattering and loss of family documents in the form of letters and other manuscripts and private papers, urge the importance of preserving in more durable form what may be proper for the public eye, and of most interest. It has been well remarked,

that "in treasuring up the memorials of the fathers, we best manifest our regard for posterity."

It is not to be expected that the affairs of a single county will be greatly interesting to the public generally; but to such, at least, as are connected with CAPE COD, these volumes will, we trust, be of *some* interest. *They*, surely, will not regret that a portion of its history is rescued from oblivion. Even in regard to those portions of the history of more recent date, such as shall be on the stage fifty or one hundred years hence will have feelings similar to our own in regard to the long past.

The writer would have been much gratified could he have given a fuller view of men of distinguished reputation, who acted their several parts well in earlier times. If omissions occur, or defects, in delineating the characters of the departed, the unavoidable absence of the requisite information must be the apology. Some of the most meritorious may have been passed by, whilst others less conspicuous or useful in their day have been noticed. It is much easier to regret the necessity, than to supply the remedy. "None but those experienced in this department of toil" can appreciate the labor, the perplexity,

the disappointments, or the time required by, and the expense attendant on it. If some landmarks have been set up to encourage and aid future researches, the attempt will not have been in vain. To undertake the task of doing ample justice to the memories of the more recently departed, and especially of living men of distinguished claims, is a labor too delicate to be consistent with the present plan.

The writer has endeavored honestly, faithfully, unbiased by prejudice, to pursue the one object had originally in view, with a determined inquiry for the truth in the narration of events and the relation of facts. His purpose has been to do this, without undue regard to the sentiments, civil, political, or ecclesiastical, of any man, or set of men; still, he has felt nothing but profound deference to the opinions of the wise and good, of whatever name, station, or party.

Whatever views may be entertained, by himself or others, of the religious dogmas of some of the early settlers of the Old Colony, or of the errors into which they sometimes fell, (which he is perfectly free to attribute "to the age in which they lived," and to the resistless force of circumstances,) he cannot but thank God that the first

Christian Sabbath's light that dawned upon the first settlers in this colony was religiously celebrated, and that the shores of Cape Cod were then and there made vocal with the praises of the Almighty. It augured well for the future; it was a pleasing comment upon the past.

That the principles of the gospel were planted here, must be acknowledged by all as having furnished the palladium of our liberties. The trials of the early settlers, causing them to feel their mutual dependence, and the necessity which forced them to rely each colony on the others for mutual support and defence, contributed, without doubt, to correct some anomalies in their views, and to a general diffusion, at length, without alloy, of the true principles of religious and civil liberty; thus preparing the way for the foundation of that national government, ultimately, which has been enjoyed by their descendants — the glory of the states, the perfection of ages, the admiration of the world!

It can hardly be supposed that our ancestors fully anticipated the benefits they were to deliver to society; in fact, it must be confessed, their own course was, at the first, in many respects retrograde to the progress of liberty, or even toleration: still, we hazard nothing in saying,

the emigration of these men eventually produced the noblest revolution in the public mind, and in political power, that the world had ever known. Confined in the beginning to narrow limits, it *advanced*, gradually, with unfolding and increasing light, until that change of public sentiment assumed an importance proportioned to the greatness of the events that were to follow. The *age* was one when the rights of society were but just being revealed.

It cannot either be regarded as otherwise than fortunate for our common country, that the early settlers of New England were emigrants from a country advanced in civilization, and that they were so generally distinguished for intelligence and enterprise, and were impressed with the importance of universal and early education. Whether the colonization of any portion of our land originated in religious persecution, as is by some confidently asserted, — so confidently and extensively that it is regarded by many as partaking of high misdemeanor not to admit it without qualification, and not to take it for granted almost without inquiry, — or whether chiefly in schemes for the pursuit of gain, with the desire of the undisputed right to maintain peculiar religious dogmas and politics without

any contradiction, is a question which it is no part of our present duty to discuss, least of all to decide. Perhaps even the seeming admission that it is, at the present day, a mooted question, may be sufficient to prejudice the writer in the view of some, and bring upon him animadversion. If so, let it be. That the early settlers of both the Plymouth and Massachusetts colonies were men of strong religious feeling, admits of no doubt. That they were free from the infirmities of nature, let him assert who will. That they were men of stout hearts, indomitable perseverance, industry, and enterprise, was never questioned. And that, although they struggled long and hard amidst many impediments, we may well challenge the annals of the world to produce another instance of a nation rising, in so short a space of time, to an equal degree of power and freedom, wealth and population, true greatness and renown, we unhesitatingly assert.

That the great advantages derived to civil and religious liberty by the emigration of our fathers and their settlement of the country were owing *alone* to their personal character and first intentions, we do not pretend to claim. Although the first planters were moral, exemplary, and pious, their progress towards the present state of

society was, most assuredly, owing to a *combination* of causes, as has been already suggested. Whether their first and great object was to establish their own religious views and polity, or to adventure in their capacity of a trading company, or both, it is evident they had no design of *founding a nation*, and that what ultimately developed was the result of events quite unforeseen. At the same time, these events and results in good degree grew out of, were influenced by, and tended to, a state of things consonant only with stern religious principle.

It has been well remarked, "It would ill become the descendants of these men to reproach them; but it would still less become their posterity to show a distrust of their prevailing merits, by any attempt to conceal the defects that are incident to human affairs, — defects, too, so exceedingly overbalanced on the whole by wisdom, perseverance, and success." The early settlers have on all sides been most unjustly treated; the character of the Puritans especially suffering alike from both extravagance of praise and censure. The sober certainty of truth it would often be difficult to ascertain, in the midst of such violent contrasts.

The succession of events that finally brought the United States to their national union, independence, and glory, were not without the instrumentality of a succession of noble men, — men who acted well their several parts in the great drama. Their illustrious deeds are worthy to be recorded in the temple of immortal fame, and their names should be perpetuated. Their deeds can never die: their names should live. Their marked traits were religious principle, patriotism, and valor, — joined to resolution, perseverance, and enterprise, — supported by industry, economy, and self-denial. The revolutionary war, in respect to its causes, progress, and effects, it is true, belongs to the history of no particular *part* of our country; hence that alone which has seemed necessary to the connection of subjects and transactions of local interest, or to explain matters in hand, has been given. Less than this would have left the record measurably unintelligible.

The difficulties that grew out of diverse views were the most serious part of the revolutionary trials; and the violence of feeling engendered was, to some of the towns on the CAPE, of a dangerous character. The writer has had no motive to color or distort the naked facts; and

if he has erred at all in the record he has made, it has been by passing as lightly over some important transactions, in deference to the final prostration of the *royalists*, as a regard for truthfulness would allow. At the present day, we can look with discrimination on the opposers of the revolution, distinguishing between the honest, conscientious loyalists, and the baser sort whose ends were mercenary. That the whigs were only desirous of carrying out what they sincerely believed were patriotic views, is evident from the fact that no personal considerations of consanguinity, or otherwise, prevented their inflexible determination for the *right*, and that no spirit of revenge urged them beyond the attainment of the object. Victors are usually magnanimous. That the adverse party, because they were prostrated, found it difficult to forget, or even to forgive, may be inferred by any one conversant with the workings of human nature.

As to the men of *our own day*, they are *all patriots*, however much they differ one from another; so that in the present age may be found, in different parts of our country, descendants from tories who are democrats *par excellence*, and descendants of whigs of the revolution who rejoice under other appellations; *all* patriotic,

all friends of freedom, *all* true to their country, *all* abhorrent of monarchists, *all* glorying in the advocacy of liberty and equal rights, whether democrats, whigs, republicans, Americans, American republicans, national democrats, or — we indeed quite *forget* the various and often changing names assumed, or *sobriquets* by which parties are designated; the recollection of them being entirely beyond our gift or vocation. It must suffice for the writer, that, whatever minor views now divide the American people, we enjoy a system of civil, religious, and literary institutions, so free, pure, and perfect, — protected by military discipline so independent in true merit, and supported by a balance of power in the three departments of government so complete, — that what the Saxon heptarchy of the fifth century endeavored to conceive, and what the ninth century, under Alfred the Great, labored to improve, has with us, as nowhere besides, been realized and established, — the result of the wisdom and toils of our fathers. Not to see this, would prove us blind indeed. Not to acknowledge this, would prove us ungrateful.

In recording the occurrences of the war of 1812, and matters both prior to and consequent

upon it, we have been content to be very brief; for the time has not arrived when the full history of that period may be written in a work like the present. Our own recollection would furnish us with much of local incident and anecdote for that era, were it permissible. The history, however, of the almost entire of Massachusetts, would be the history of conflicting party views on the Cape, with this important exception—that Barnstable County lent the influence of its majority to sustain the national administration.

The record of more recent dates is purposely confined to few occurrences of more general interest.

In respect to ecclesiastical affairs, our object has been to follow the order of events with some particularity, so long as the *quasi* union of state and church existed. As denominations began to multiply, it has been deemed sufficient that more prominent events simply be noticed, leaving to those who choose to dwell on ecclesiastical divisions and strifes to look to other sources for information.

For any defects that may exist in the present

work, the author begs indulgence; of its errors, if such there be, he can only say, they were undesigned. If, with an impartiality scorning to cover up all infirmities of men he reveres, and with an honesty of purpose too stern to deny their delinquencies, he has failed to secure commendation from the narrow-minded and bigoted, or has fallen short of the apprehensions of the wise and good, he must be allowed to add, in the language of another, that "he never had in view, in this work, an object so contemptible as that of writing eulogy under the guise of history."

We are not unaware of the popular impression of the day, that history, to be attractive, must be clothed in the garb of hyperbole, or the guise of fiction; and that, whilst the public taste demands that all that is written shall be in heroics to satisfy the partiality of admirers, it may be quite convenient for literary caterers to yield to that taste. It is not strange that a judicious observer has seen occasion to remark, "It might be well that some modern Cervantes should send us another knight errant, of peerless honor, stainless virtue, dauntless courage, and truthful love, to make us so laugh at our own follies, by his whole-souled and simple-

hearted extravaganza, as to bring back things to the modesty of nature." But we doubt if the cure could be thus effected. The disease has proceeded so far, that the demand seems to be inflexible that every thing most serious be presented in paradox, whether in history, the teachings of the pulpit, or elsewhere. It has become absolutely necessary, in order to attract attention. Learning must be made picturesque; that which should be sober narration must be a historical novel bewildering by its adroit mixture of truth and falsehood; the most sublime mysteries and awful truths must be presented with at least a fair equivalent of humor; and the commonest incidents of life must be dramatized, to give effect. With this popular mania, the writer confesses he has no sympathies. He aims only at a plain, unvarnished *expose* of facts: the reader must make his own inferences, form his own opinions, and draw upon his own imagination for embellishments.

If there shall appear a paucity of material for so full a history of some periods of our progress as might be desired, or of incidents to give zest to the recital, it must be remembered that it is no part of our present duty to *create*; the records,

scanty as they may be, we are necessitated to take as we find them. The inhabitants of the Cape have at all times been men whose disposition was to pass their life in industrious, peaceful, and useful occupations — with little taste for parade, with little ambition to chronicle their own doings; and if at any time they have mingled in political heats, it has been simply because the occasion and duty required it, and not that they were ambitious of notoriety. We hazard nothing in saying that had the influence exerted and the services rendered been as tenaciously registered here as in some of the New England towns, the history of events would have been of more animating interest. As a learned and eloquent descendant of Cape Cod has well remarked, “Our village fathers little imagined how the eye of posterity would strain after every simple record they should leave. What they did, they did for the peace of their firesides, for the safety of their country, for the satisfaction of their consciences and their feelings: that it should make them famous, was a thing they did not so much as dream of.”

SANDWICH, April, 1858.

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THE
HISTORY OF CAPE COD,
AND
ANNALS OF THE COUNTY OF BARNSTABLE.

CHAPTER I.

Situation, Name, and Extent. — First Discovery by Gosnold. — Subsequent Visits by Navigators. — De Monts, Weymouth, Captain Smith, and others. — Dermer, Pourtrincourt, Hudson, &c.

CAPE COD, the south and south-east bound of the great bay from which the State of Massachusetts (hence also sometimes called the Bay State) takes its name, is a long, irregular peninsula of sixty-five miles in length, (seventy-five on the south shore route,) by from five to twenty in breadth, and embraces the entire of the County of Barnstable.

The name is sometimes limited, as, indeed, originally intended, to that portion only that constitutes its terminus, and which lies N. lat. $42^{\circ} 4'$, W. long. from Greenwich $70^{\circ} 14'$; but the name is now generally applied to the whole peninsula, and the residents in any and every part of the county, and the descendants of those who have resided here, proudly claim the name Cape Cod for the whole thirteen towns, Sandwich,

Barnstable, Falmouth, Yarmouth, Dennis, Harwich, Brewster, Chatham, Orleans, Eastham, Wellfleet, Truro, and Provincetown, the district of Mashpee included — for every inch of land from the narrow isthmus near the west line that divides Barnstable County and the County of Plymouth, to Wood End and Race Point.

The first discovery of Cape Cod by a European is generally conceded to BARTHOLOMEW GOSNOLD, the intrepid mariner of the west of England, who, on the 26th of March, 1602, sailed from Falmouth, in Cornwall, in a small bark, with thirty-two men, for the coast known at that time as North Virginia. Instead of proceeding, as was usual, by the way of the Canaries and West Indies, he kept as far north as the winds would permit, and was, for aught that appears to the contrary, the first *Englishman* who came in a *direct course* to this part of the American continent. In fact, it is not certain that *any* European had ever been here before.¹ Hakluyt, indeed, mentions the landing of some of Sir Humphrey Gilbert's men upon some part of the coast, in 1583; but it was evidently farther eastward, upon what was afterwards known as Nova Scotia.

On the 14th of May, 1602, Gosnold made land;² and, standing to the south, the next day, May 15, soon found himself "embayed with a mighty headland," which at first appeared "like an island, by reason of the large sound that lay between it and the main." This

¹ Hutchinson.

² The land first made by Gosnold was on the eastern coast, which he called Mavoshen, about 43° north. Here he met with a shallop of European structure, in which were eight savages, one of whom was dressed in European clothes; from which he naturally concluded that some unfortunate fisherman of Biscay or Brittany had been wrecked on the coast. *Hutchinson. Belknap.*

sound he called Shoal Hope. Near this cape, "within a league of the land, he came to anchor, in fifteen fathoms," and his crew took a great quantity of cod-fish, from which circumstance he named the land *Cape Cod*.

It was described by him as "a low, sandy shore, but without dangers, in the latitude of 42°." The captain, with Mr. Brierton and three men, "went to land, and found the shore bold and the sand very deep." A young Indian, with plates of copper hanging to his ears, and with a bow and arrow in his hand, came to him, and, in a friendly manner, offered his services. Bancroft confidently asserts that Cape Cod was the "first spot in New England ever trod by *Englishmen*;" and the eminent historian is, for aught that appears to the contrary, correct in this position.

On the 16th, Gosnold coasted southerly, and, at the end of twelve leagues, discovered a point with breakers at a distance; attempting to double which, he came suddenly into shoal water. To this point of land he gave the name of Point Care: it is the same now called Sandy Point, and forms the south-eastern extremity of the county.

Finding himself surrounded by shoals and breakers, the vessel was brought to anchor until the coast and soundings could be examined by an exploration in the boat. During this time, some of the natives made him a visit. One of these Indians had a plate of copper upon his breast, twelve inches by six; others had pendants of the same metal suspended from their ears. They all "had pipes and tobacco, of which they were very fond."

In surveying the coast, breakers were seen off a point of land which he called Gilbert's Point: it is now called Point Gammon, and forms the eastern side of the harbor of Hyannis.

On the 19th, passing the breach of Gilbert's Point in four or five fathoms of water, he anchored a league or more to the westward of it. Several hummocks and hills appeared, which at first were taken to be islands; these were the high lands of Barnstable and Yarmouth.

To the westward of Gilbert's Point appeared an opening, which Gosnold imagined to have a communication with the supposed sound that he had seen westward of Cape Cod; he therefore gave it the same name, Shoal Hope; but finding the water to be no more than three fathoms deep at a distance of a league, he did not attempt to enter it. From this opening the land tended to the south-west; and in coasting it he came to an island to which he gave the name of Martha's Vineyard. The island he described as distant eight leagues from Shoal Hope, five miles in circuit, and uninhabited; full of wood, *vines*, and berries. On it were seen abundance of deer, and around it were taken abundance of cod.

From his station off this island, where the bark rode in eight fathoms of water, he sailed on the 24th, and doubled the cape of another island next to it, which he called Dover Cliff;¹ and this course brought him into a sound, where he anchored for the night, and the next morning sent his boat to examine another cape that lay betwixt him and the main, from which projected a ledge of rocks² a mile into the sea, but all above water, and not dangerous.

Having passed around these rocks, the vessel came to anchor again, in one of the finest sounds which he

¹ "The cliff is supposed to be the eastern half of a small island which was called by the natives Onky Tonky, since corrupted into Uncle Timmy." *Belknap*.

² "The rocky ledge is called Rattlesnake Neck." *Belknap*.

had ever seen. To this he gave the name of Gosnold's Hope.¹ On the northern side of it was the main; and on the southern, parallel to it, at a distance of four leagues, was a large island, which he called, in honor of his Queen, Elizabeth. On this island he determined to take up his abode, and pitched upon a small woody islet in the middle of a fresh pond as a safe place to build a fort.

A little to the northward of this large island lay a small one, half a mile in compass, and full of cedars. This he called Hill's Hap.²

On the opposite northern shore appeared another and similar elevation, to which he gave the name of Hap's Hill.³

By this description of the coast, it is evident that the sound into which Gosnold had now entered was Buzzard's Bay.⁴

¹ Buzzard's Bay.

² "Hill's Hap now consists of two very small islands, called Wick-peckets. There is every appearance that they were formerly united; and there are now a few cedars upon them." *Belknap*.

³ "Hap's Hill, on the opposite part of the main, is a small elevated island, of an oval form, near the mouth of a river which passes through the towns of Wareham and Rochester, and is a conspicuous object to navigators." *Belknap*.

⁴ Belknap says, "The island which Gosnold called Martha's Vineyard was not that which now goes by the name, but a small island, the easternmost of those which are known by the name of the Elizabeth Islands. It is called by the Indians Nenimisset. Its present circumference is about four miles; but it has doubtless been diminished since Gosnold's time, by the force of the tides, which set into and out of the bay with great rapidity. Its natural productions and pleasant situation answer well to his description; and deer are frequently seen and hunted upon it: but none were ever known to have been on the great island now called Martha's Vineyard, which is more than twenty miles in length, and was always full of inhabitants. For what reason and at what time the name was transferred

The island on which Gosnold and his company took up their abode was Cuttyhunk.¹

Whilst some of Gosnold's men labored in building a fort and storehouse on the small island in the pond, and a flat-boat to go to it, he crossed the bay in his vessel, and discovered the mouths of two rivers: one was that near which lay Hap's Hill, and the other that on the shore of which New Bedford now stands.

After five days' absence, Gosnold returned to the island, and was received by his people with great ceremony, on account of an Indian chief, who, with fifty of his men, was there on a visit. To this chief they presented a straw hat and two knives; the hat he little regarded, but the knives he highly valued. They feasted these savages with fish and mustard, and diverted themselves with the effect of the mustard on their noses. These Indians were occasional visitants at the island, for the purpose of procuring shell-fish. Four of them remained, after the others were gone, and helped Gosnold's men to dig the roots of sassafras, with which, as well as furs bought of the Indians, the vessel was loaded.

After spending three weeks in preparing a storehouse, when they came to divide their provision, there was not enough to victual the ship and to subsist the planters till the ship's return. Some jealousy also arose about the intentions of those who were going back; and after five days' consultation, they determined to

from the one to the other, I have not learned." Allen says, "This is supposed to have been the small island *No-man's-land*."

¹ Belknap, in his notice of Gosnold, supposes the island on which the settlement was attempted, to be Naushaun; but this, it would seem, he afterwards was convinced was a mistake, for the cellar of Gosnold's storehouse was discoverable elsewhere in 1797.

give up their design of planting, and return to England. On the 18th of June, therefore, Gosnold sailed out of the bay through the same passage by which he had entered it, and arrived at Exmouth, England, July 23.

Gosnold's intention was to have remained, with a part of his men, and to have sent Gilbert, who was second in command, back to England, for further supplies. After his return, he was indefatigable in behalf of settling colonies in America, and was one of those who embarked in the next expedition for Virginia, where he had the rank of counsellor, and died in 1607.

Gosnold's attempt at settlement on Cuttyhunk, Hutchinson supposes, "is what Josselyn, and no other author, calls the first colony of New Plymouth;" for he says, it was "begun in 1602, near Narraganset Bay."¹

In 1603, DE MONTS, having obtained of Henry IV., of France, a patent for the planting of L'Acadie and Canada, from lat. 40° to 46°,—i. e., the whole country between the Island of Cape Breton and the shores below Hudson River,—prepared for a voyage; and, in 1604, ranged along the coast from the St. Lawrence to Cape Cod, and to the south of it. With CHAMPLAIN and

¹ The island in the lake on Cuttyhunk Island was purchased, in 1856, by Thomas Nye, Jr., Esq., and others, of New Bedford, with the intention of erecting a summer resort upon it. It is a beautiful spot, susceptible of being made a most delightful retreat. Gosnold describes its former varied exuberance in glowing terms: there was "the rank vegetation of a virgin soil: noble forests, wild fruits and flowers,—the eglantine, the thorn, and the honeysuckle,—the wild-pea, the tansy, and young sassafras,—strawberries, raspberries, grape-vines,—all in profusion."

CHAMPDORÉ for pilots, he visited divers rivers, bays, and harbors.¹

From the time of Gosnold's discovery, in 1602, English and other vessels were constantly in the habit of visiting the New England coast; and it may be proper here to note, that as the French had led the way in colonizing other parts of America, so they were first in exploring several portions of this northern region. In the spring of 1604, De Monts, accompanied by the future founder of Quebec, entered Annapolis River, in Nova Scotia, and granting a territory, extending some miles from its mouth, to one of his companions, sailed for the Schoodic, or St. Croix River, which now forms part of the north-eastern boundary of the United States. An island was chosen for the residence of the party, and fortified. The privations of one winter, however, caused them to abandon this locality the following spring, and to join the rest of the immigrants on the pleasant River of Annapolis. The same season, an exploring party, led by De Monts, ascended the Kennebec River, erected a cross, and took possession of the territory, in the name of the King of France.

“Whilst these expeditions were in progress, English enterprise was also excited. On the pretence of discovering a north-west passage, a party left Great Britain. After touching at a few places in Maine, the vessels ascended the Penobscot River, probably a considerable distance, and the commander also erected a cross — ‘a thing,’ he says, ‘never omitted by Christian

¹ “He did not go into the Massachusetts Bay, but struck over from some part of the eastern shore to Cape Ann, and so to Cape Cod, and farther southward.” *Champlain*.

travellers.' Thus, in the same year, perhaps the same month, the symbol of man's salvation was planted on the banks of the two noblest rivers in Maine. The leaders of both these expeditions were Protestants. The English enterprise was disgraced by the seizure of five of the natives, who were carried to Great Britain.¹

¹ In 1605, the commander in this expedition, Captain Weymouth, in the employ of Lord Arundel, having kidnapped the five natives, took them to England. On his arrival in Plymouth Harbor, Sir Ferdinando Gorges, then governor of Plymouth, and commanding in the harbor, took three of these natives into his family. He found them docile and intelligent, and obtained from them much information in regard to the country. Gorges was the intimate friend of Sir Walter Raleigh; both were naval commanders, and indefatigable in their projects of adventure. What was learned from these natives excited a more intense desire to make further discoveries for gain. These Indians were all subsequently returned; and through the influence of two of them, first restored, the adventurers who, in 1607, attempted a settlement on the Kennebec, were kindly received by the natives. But a native of the Island Capawock, (Martha's Vineyard,) who had been treacherously taken from thence by a fishing ship, and had been "shown about in London as a sight," and whose name was Epenow, was also brought to Gorges; and from him Gorges was delighted to learn that a *mine of gold* existed on that island. The story, it is hardly necessary to say, was ingeniously invented by the artful Epenow, (who had not lived among the white people without discovering their all-absorbing spirit of adventure and love of gain, and also learning something of their vices,) to secure his return to his home, as a pilot to the mine in this now much talked of Eldorado. Epenow's ingenuity was not destined to disappointment; for, in June, 1614, all due preparations having been made, he sailed in one of Gorges' ships, accompanied also by Assacumet and others kidnapped in 1611 by Harlow. On the arrival of the ship at Capawock, the principal inhabitants of the island, among whom were some of Epenow's own kinsmen, came to the ship, thus furnishing him the opportunity for a conference, during which he contrived for his escape. The Indian visitors, on departing, promised to return the next day, with furs for traffic. Epenow had pretended that, if it were known he had discovered the secrets of his country, his life would be in danger. Harley, the

This act of unqualified baseness was, however, providentially made productive of good.”¹

In 1606, April 10, James I., King of England, made a grant, by patent, of all the country in North America between lat. 34° and 45° north, which he called Virginia; and divided it into two districts, North and South Virginia; the southern part, situate between 34° and 41°, he granted to a London Company, formed for the purpose of colonizing America and converting its savage inhabitants to the Christian religion; the northern part, situate between 41° and 45°, to a Plymouth Company, for the same purpose; but neither of them was to plant within one hundred miles of the other.² The territory granted to the latter company was identical, to a great extent, it will be perceived, with that given to De Monts by the King of France.

captain of the ship, was distrustful, and not only had his captive carefully watched, but, the more effectually to prevent his escape, had dressed him in long clothes, that might be easily laid hold of, should there be occasion. The Indians appeared the next morning, in twenty canoes. Keeping at a distance, the captain called to them, making signs for them to come on board. They declining to do so, Epenow was ordered to urge them. Mounting the forecastle, he hailed them, as directed, and at the same moment jumped into the sea, his friends advancing to receive him, and sending a shower of arrows into the ship. The captain and crew were taken entirely by surprise, and Epenow effected his escape. Thus vanished golden dreams, and the ship returned to England in disappointment.

¹ We have here copied Bartlett; but the facts are found in various ancient memoranda.

² “By this interdiction, the middle region was neglected, and a bait was laid to attract the attention of foreigners.” *Gorges*.—By the *London Company* will be understood an associate company composed chiefly of eminent London merchants; and by the *Plymouth Company*, a like association of merchants in Plymouth, England.

The religion of the Church of England was established in the colonies to be formed.

Late in August of the following year, (the same that dates the founding of the colony at Jamestown, Virginia,) "public thanks to Almighty God were offered up on a peninsula in the Kennebec River, near its mouth, by a party who had landed from ships sent out by the Plymouth Company to colonize their patent. A sermon was delivered on the occasion, their charter was read, and rules for the government were promulgated. Buildings for public use, including a church, and a few slender cabins, were erected, with a rude fortification."¹

¹ The patentees of the northern colony, who, in 1607, attempted a settlement at Sagadahoc, (Kennebec,) and laid the plan of a great state, were not successful. The winter was extremely severe, both in America and in England. The president of the company (George Popham) dying at the settlement, and Sir John Popham, his brother, who was the great promoter of the design, dying in England, that same winter, — also Sir John Gilbert, the brother of the admiral of the fleet, — and other discouragements interposing, — the whole number who survived the winter went back to England in 1608, and the design of the plantation was for the present abandoned. It has been remarked, that, this same year, 1607, the first effectual attempt was made at a settlement in South Virginia. We may add, in the words of *The Frontier Missionary*, by Rev. Mr. Bartlett, that, "As by the royal letter of instructions, given to the early colonists, the religion and polity of the Church of England were distinctly established, and as religious services were held, and a sermon preached on the day of the debarkation of the colonists, at Kennebec, by their chaplain, who also officiated during the time the colony remained, it is certain that, on the shores of Atkins's Bay, the hallowed strains of England's ritual were heard at no infrequent intervals, during the autumn of 1607 and the succeeding winter. And, therefore, these are the first instances of the use of the liturgy, and the performance of the rites of the Episcopal church, in any part

In 1614, Captain JOHN SMITH, the celebrated navigator, having quitted the colony of South Virginia, sailed for North Virginia, on a fishing and whaling voyage, and ranged the coast from Penobscot to Cape Cod. He made a map of the country, which was first called by him New England.¹ He embarked for London,

of the United States north of Virginia. And not only so, this was THE FIRST PROTESTANT WORSHIP AND PREACHING, BY AN ORDAINED MINISTER, IN ANY PORTION OF THIS VAST TERRITORY" of New England. See also Williamson's *History of Maine*; Bancroft's *United States*; Purchas; Hakluyt; *Maine Historical Collections*, &c. The minister of this colony was RICHARD SEYMER. It is thus evident "that the members of the Church of England made provision at a very early date for the spiritual wants of the colonies." The colony of De Monts, before spoken of, "was made up of Romanists and Protestants. L'Escarbot, the chaplain, was a *Huguenot*." It may also be shown that "another part of North America witnessed the celebration of divine worship, and the administration of the Lord's supper, *forty-two* years before 'the Pilgrims' landed on these shores." See Hakluyt's *Account of Frobisher's Voyages*.

¹ King Charles, upon the presentation of the map to him by Captain Smith, changed the name of North Virginia to that of NEW ENGLAND; and hence, in the patent that was granted by King James, in 1620, to the Duke of Lenox, Ferdinando Gorges, and others, the company was styled "The Council of Plymouth, in the County of Devon, for settling and governing New England," which country was to extend from 40° to 48° north. What is now called New England was at that day regarded as an island — a mistake not corrected in Old England so late as the time of an official despatch of Lord North, during our revolution. In the epistle dedicatory of ROBERT CUSHMAN to his "loving friends the adventurers for New England," December 12, 1621, prefixed to his *Sermon, preached at Plymouth, in New England*, he says, "New England, so called, not only (to avoid novelties) because Captain Smith hath so entitled it in his description, but because of the resemblance that is in it of England, the native soil of Englishmen: it being much what the same for heat and cold in summer and winter; it being champaign ground, but no high mountains, somewhat like the

leaving his own ship in the command of Thomas Hunt to load with fish for Spain. After Hunt had completed his lading and was ready to sail, he perfidiously enticed on board the ship sundry Indians belonging to Nauset, (afterwards known as Eastham,) and then basely seized on these unsuspecting and confiding men, who were allured by the promise of trade, and confined them in the hold. He carried them, seven in number, (with twenty others which he kidnapped, belonging to Patuxet,) to Malaga, where he sold the most of them at twenty pounds a man; and would have sold the whole twenty-seven in the same way, had not certain monks of that city interfered and rescued the few that remained unsold. So cruel a deed as that perpetrated by Hunt could hardly fail to kindle in the hearts of the Indians, wherever it became known, a fire of hatred and revenge. The remembrance of it lasted for many years, causing all future attempts at commerce with the Indians to be attended with more or less difficulty and danger. On sundry occasions, indeed, they executed on Europeans, for this and other instances of perfidy, deep revenge.¹

soil in Kent and Essex; full of dales and meadow ground, full of rivers and sweet springs, as England is. But principally, so far as we can yet find, it is an island, and near about the quantity of England, being cut out from the main land in America, as England is from the main of Europe, by a great arm of the sea, which entereth in 40°, and runneth up north-west and by west, and goeth out either into the South Sea, or else into the Bay of Canada. The certainty whereof, and secrets of which, we have not yet so found as that as eye witnesses we can make narration thereof; but if God give time and means, we shall, ere long, discover both the extent of that river, together with the secrets thereof; and so try what territories, habitation, or commodities, may be found, either in it or about it."

¹ Hunt was not the only one, nor was he the first, as we have seen,

Both English and French adventurers continued their voyages to the coast, for fish and furs, trading with the natives; but with little success, from 1615 to 1617, in consequence of a pestilence raging among the natives of New England, sweeping off great numbers and interrupting all trade.

MR. THOMAS DERMER, in a ship of Sir Ferdinando Gorges, sailing to New England, in 1619, found many places, before populous, almost desolate, and the few remaining inhabitants either sick or but scarcely recovered. At Monamoyick, (Chatham,) he was taken prisoner by the Indians, but finally succeeded in obtaining a release.¹

that kidnapped the native Indians. Except where these and similar acts of atrocity were perpetrated, and became known to the Indians, the natives of New England were ever unsuspicious, hospitable, and kind. Nor is there much reason to doubt that the troubles which Mr. Smith and the other first settlers at Jamestown experienced with the Indians were not unprovoked; for, in a previous unsuccessful attempt, the leader of the adventurers, Mr. Lane, had slain a sachem, and killed and taken captive other Indians; and Sir Richard Grenville had burned a whole Indian town, and destroyed their corn, in revenge of some Indian having stolen a cup. Indians are not apt to forget in a day such cruelties.

¹ "February, 1619, Sir F. Gorges sent Captain Dermer, in a ship of two hundred tons, to New England, to fish, and sent with him Tisquantum, one of the natives which Hunt had brought away. May 26, he arrived at the native place of the savage, and found all dead." *Prince*. — In this voyage, Captain Dermer sailed through the whole passage between the main land and Long Island; thus being the first to demonstrate the insular position of the latter land. Touching at Capawock, he was recognized by Epenow as one of those in Gorges' employ, and was, in consequence, on going ashore, attacked by the natives, whose resentment of injuries received was still burning. Dermer defended himself with his sword, and escaped; but not until after receiving fourteen wounds that probably caused his death, for it occurred soon after. Several persons — all but one of the boat's

Although favorable accounts were published by Captain Smith and others, and a favorable opinion of the country generally entertained, there seemed to be but little disposition among the people for *colonizing* in "so remote and uncultivated a part of the world," for some years.

Some feeble attempts, indeed, were made by the French to establish plantations, but they were routed by the English in 1613. De Monts, finding St. Croix, in the winter of 1605, intolerably cold, his people suffering so much from the scurvy that thirty-six of them died, resolved to leave with the remaining forty, who having been all sick yet lingered, and seek a comfortable station in a warmer climate. Sailing along the coast of Norombega,—a name which had been given by some European adventurers to Penobscot Bay,—he finally came to Malebarre, as Cape Cod was then called by the French. Discouraged by the numbers of the natives, he returned to Port Royal, preferring safety to pleasure. There he was joined by Dupont, in a ship from France, with fresh supplies, and a reënforcement of forty men. After many discouragements and adventures, he, in the summer of 1606, prevailed on Pourtrincourt to unite with him in another voyage to Cape Malebarre. Circumstances led De Monts and Dupont to return to France; but Pourtrincourt, with Champlain, Champdore, and others, made their way to the cape. Here they were entangled among shoals, as soon as they came in sight of the object of their voyage; their rudder was broken, and they were obliged to come to anchor at a distance of

crew which landed — were killed in the affray. Here we see some of the fruits of the perfidy of Hunt and others. *Life of Gorges.* Also *Prince.*

three leagues from the land. The boat was then sent ashore, to find a harbor of fresh water, which, by the kindly information of one of the natives, was accomplished. Fifteen days were spent in this place, (probably Monamoyick, now Chatham,) during which time a cross was erected, and possession taken for the King of France. When the bark was repaired and ready to sail, Pourtrincourt took a walk into the interior, whilst his people were engaged in baking bread. In his absence some of the natives had visited his people, and a hatchet was missing; for the supposed offence, guns had been fired at the natives, and they had fled. On Pourtrincourt's return, he saw several parties of Indians, male and female, engaged in carrying away their children and their corn. As he and his company passed, they hid themselves. At this unusual course of conduct he was alarmed; but much more so when, early the next morning, a shower of arrows fell among his people, killing two of them, and wounding others. The Indians, having taken revenge, fled. It was useless to pursue them. The dead were buried at the foot of the cross; but whilst the funeral service was being performed, the Indians were seen dancing and yelling, as if in mock concert, at a convenient distance. When the French had retired on board their bark, the Indians took down the cross, and dug up the dead bodies; stripping them of their grave clothes, which they carried about in mock triumph.

This unhappy quarrel gave Pourtrincourt a bad idea of the natives. He attempted to pass farther around the cape, but was forced back by contrary winds to his former harbor. The natives now, doubtless feeling that they had enjoyed ample revenge for the murderous indignity inflicted on them, seemed pacifically inclined,

and offered to trade; whereupon six or seven of them were seized by the French and put to death. They again left the harbor, but the wind was yet unfavorable. At the distance of six or seven leagues, they discovered an island, but the wind would not permit them to approach it; they therefore gave it the name of Douteuse, or Doubtful. This was probably either Nantucket, or Capawock, now called Martha's Vineyard. To the harbor where he lay he gave the name of Port Fortune. With his wounded men, whose lives were considered in danger, he resolved to sail for Port Royal at once, relinquishing all hope of obtaining any better place of settlement.

What part of Cape Cod was visited by HUDSON, in 1609, it is impossible to say; but that, when, after his second voyage in behalf of English adventurers, to find a passage to India by the north, he went over to Holland, and entered into the service of the Dutch, and *their* East India Company fitted out a ship for discovery, and put him in command, he *discovered* Cape Cod, and landed upon it, appears from the journal of the voyage.¹ Nor can we assert that it was *here*

¹ This Captain Hudson, an Englishman, now in the service of the Dutch, on his voyage to discover a north-west passage to India, had, as is well known, discovered that noble river which still bears his name; and there, in or about the year 1614, Dutch adventurers made permanent settlements — one at Manhattan Island, where the city of New York now stands, and one at Albany. The country was called the New Netherlands, and the settlement on Manhattan Island was named New Amsterdam, which names they retained until the conquest of the country by the English. It was not until 1664, when Charles II. of England, being at war with the Dutch, gave that part of the country to his brother, the Duke of York, that the now great metropolis of our land received its present name, which was given in honor of the duke.

that he found occasion to record the following incident; indeed, we think we must relinquish the honor of having the Cape considered as its location; but in his journal of one of his voyages, written by himself, is the following: "June 15. This morning one of our company, looking overboard, saw a *mermaid*, and calling up some of the company to see her, one more came up, and by that time she was come close to the ship's side, looking earnestly on the men. A little after, a sea came and overturned her. From the navel upward, her back and breasts were like a woman, (as they say who saw her;) her body as big as one of us; her skin very white; and long hair hanging down behind, of color black. In her going down, they saw her tail, which was like the tail of a porpoise, and speckled like a mackerel. Their names that saw her were Thomas Hilles and Robert Rayner."¹ For Cape Cod, we have not the honor to this day even of recording a visit from the famous "sea serpent."

It is well known that Sir Ferdinando Gorges and

¹ Captain Hudson must not, however, claim for *his* men alone the honor of so strange a sight; for another claims the privilege of having seen a mermaid's *companion*. Thomas Glover, who published, in the eleventh volume of Transactions of the Royal Society, an account of Virginia, relates that, when alone in a sloop on the Rappahannoc, three leagues from the mouth, he heard "a great rushing and flashing of the water," and that looking, he saw near him "a most prodigious creature, much resembling a man, standing right up in the water, with his head, neck, and shoulders, breast and waist to the cubits of his arms, above water. His skin was tawny, much like that of an Indian; his head sleek and pyramidal, without hair; his eyes large and black, and so were his eyebrows; his mouth very wide, with a broad, black streak on the upper lip, turning upwards at each end like a mustachios; his countenance grim and terrible." After gazing a sufficient time at Mr. Glover, "the animal plunged down, and cast his tail above water, like the tail of a fish."

Captain John Mason, the former governor of Plymouth, in Devonshire, had, aided by Sir John Popham and others, spent twenty thousand pounds each in attempts for a settlement on the Kennebec, in 1607 and after, and were compelled, for the time being, to give over their designs and submit to the sacrifice.

Thus one hundred and twenty years had passed since the discovery of the northern continent by the CABOTS, without any demonstrably successful attempt; for Jamestown, although already in its infancy, was yet only struggling for life.¹

It is, however, "a notable fact, whether considered in a commercial, political, or scientific point of view, that the cod fishery had become a subject of deep, extensive, and uninterrupted concern, from the period immediately subsequent to the discovery of this continent, in 1497. As soon as it was known in England that Cabot found these northern waters were the resorts of innumerable fish, especially 'of that kind which savages called *baccalos*,'—i. e., the cod fish,—the adventurous traders and mariners of England and France were active in the prosecution of fishing voyages to this continent. The statesman began to invoke the aid of the highest arts of diplomacy to protect the rights of the bold fishermen, and the lover of natural science has ever since contemplated with admiration the innumerable dwellers in the great deep, which the incessant toil of man has not exhausted."²

¹ Virginia was given by patent to the London Company, in 1606. For twenty years previous to this time, attempts had been made to establish a colony there. The first permanent colony was that at Jamestown, which place was the first *permanent* habitation of the English in America.

² Hon. Francis Brinley to the Senate of Massachusetts, 1854.

CHAPTER II.

Prior Discoveries, and Prominent Theories and Reminiscences. — Columbus, Americus Vesputius, De la Vega, the Cabots, Willoughby, Frobisher, Gilbert, and Raleigh. — The Ancients.

It is very possible that the reader may appreciate some condensed account of earlier discoveries than that made by Gosnold in 1602. In our remarks hitherto, we have felt constrained to confine our pen to those things only which relate to, or are of interest as connected with, the subject of our history. But it is suggested that, since so large a proportion of the inhabitants of the Cape are essentially navigators, it may be interesting to them, at least, even were they clannish, (which they are not, — never were a people less so, — for the very fact that they are called to visit all climes, and are much of their life in distant lands, tells that they must, of all men, from the very circumstances of the case, have expanded views and a feeling of common brotherhood with all people,) to look back beyond Gosnold's time, and contemplate the order of events. And it may be well asked, In what district of this continent are the people of Cape Cod not domestically interested? Where is the section of our common country in which the vine that was planted on the Cape has not struck its roots? After having travelled extensively through the almost entire length and breadth of our Union, and in the British Provinces, the writer has never found any position of importance where are not to be found those of Cape

Cod origin. He has been impelled to the conclusion, that, after all that may be found here to endear our birthplace to us, it is emphatically true, without the embellishments of poetic license, that

“Man is the nobler growth our soil supplies;”

and that, in this particular, the Cape has been wonderfully prolific. Its enterprise is every where felt.

It has been said that this new world was known, and partly inhabited too, by Britons, or by Saxons from England, some hundreds of years before the time of the Spaniards coming to it; and reference is made to conferences between the Mexicans and Spaniards at the Spaniards' first arrival, as well as to the relics, and terms, and words, which were found existing among the Mexicans,—and also to Britain's annals.

True, Christopher Columbus, the Genoese, has, by general agreement, the honor of being the first European that opened a way to the new world, in 1492; and from him it might with more justice have received its name than from Americus Vesputius, the Florentine, who, five years after him, in 1497, explored the southern regions of the continent. Still, De la Vega says that Sanchez, a native of Helva, in Spain, had, before the time of Columbus, explored these coasts, being driven hither by storm, on a voyage to the Canaries, and that he, on his return, gave to Columbus an account of his discoveries.

The two Cabots, in the employ of Henry VII., did in fact discover the continent in 1497, whilst the main land was not discovered by Columbus until 1498.

The voyages and explorations of Willoughby, Frobisher, Gilbert, and others, besides Raleigh, and their

attempts to settle English colonies in the deserts of Western India, are a matter of record.

If we would go back farther, and inquire how America came *first* to be peopled, perhaps the Discourses of Hornius, *De Origine Gentium Americanarum*, or Woodward's Natural History of the Earth, and other similar works, may be worthy of examination.

We must be content ourself, however, in this place, to glean a few fragments of hypotheses. And first, the "account given by a Russian who had been an officer of prime note in Siberia: says he, 'There is beyond the Obi a great river called Kawoina, at the mouth whereof discharging itself into the Frozen Sea, there stands a spacious island, very well peopled, and no less considerable for hunting an animal whose teeth are in great esteem. The inhabitants go frequently upon the side of the Frozen Sea to hunt this monster, and because it requires great labor with assiduity, they carry their families usually along with them. Now, it many times happens that, being surprised with a thaw, they are carried away, I know not whither, upon huge pieces of ice that break off one from another. For my part, I am persuaded that several of those hunters have been carried upon these floating pieces of ice to the most northern parts of America, which is not far from that part of Asia that juts out into the Sea of Tartary. And that which confirms me in this opinion is this — that the Americans who inhabit that country which advances farthest towards that sea have the same physiognomy as those islanders.'" Thus the "Vayode of Smotensko."

Dr. Belknap, in his learned Dissertation on the Circumnavigation of Africa by the ancients, and its probable consequences, the population of some parts of

America, has furnished matter for reflection and much speculation on the part of those who would aim to solve this difficult question.

This much is conceded : the first navigators of whom we have an account were the Phœnicians, scattered along the coasts of the Mediterranean and the Red Sea. A spirit of commerce and naval enterprise commenced with them and the Egyptians as early as two thousand years before Christ.¹ As early as the days of Moses, they navigated the western coast of Africa, and as far north as Britain. From Britain they obtained tin and lead,² which, according to the universal testimony of the ancients, were not then found in any other country.

There can be no doubt, from ancient history, that

¹ "This opened the way for the Egyptian colony which Cadmus led into Greece, where, in about three hundred years after, it led to the expedition of the Argonauts to Colchis in quest of the golden fleece, which opened the way for the commerce of Greece, and laid the foundation of her future naval glory. The ships of Greece bore her heroes to the Trojan war, in the year of the world 2900. About the time of the expedition of the Argonauts, it extended from Phœnicia into Africa, and the ships of Tyre planted the colony of Carthage. In about five hundred years after this, it extended from Troy into Asia, into Europe, and planted the Roman state ; and in about five hundred years after this, it opened the contest for the Island of Sicily, between the rival states of Carthage and Rome, and laid the foundation of the naval glory of Rome and her future conquests. During this long period of naval enterprise and adventure, about eighteen hundred years, open boats, or galleys, that could be managed by rowers as well as sails, were the only ships known or in use ; and all their expeditions were conducted along the shores of such seas as they explored, without daring to lose sight of land. This continued to the first of the fourteenth century, when Goya discovered the secrets of magnetism, and taught the use of the mariner's compass." *Butler's United States.*

² Numbers xxxi. 22.

Sesostris, King of Egypt, maintained commercial intercourse with India and Ethiopia, by the way of the Red Sea. The voyages of the Phœnicians and Hebrews to Ophir, in the time of Solomon, were at least circumnavigations of Africa.

The earliest account of any voyage recorded in history is that (given by Herodotus, the most ancient of historians, the sacred writers excepted) performed by order of Necho, King of Egypt, six hundred and sixteen years before the Christian era. The voyage required nearly three years, which was also the time required by Solomon's ships, in their voyages to and from Ophir. Their manner was to go on shore, in the prosecution of these voyages, to sow the corn and gather the harvest required for their sustenance.

The progress of the Phœnicians and Carthaginians in their knowledge of the globe was not dictated by the desire of commerce merely, but to discover new countries, and to explore unknown seas. These discoveries were indeed subservient to commerce; for, in the reign of Solomon, the king's ships, with the servants of Hiram and the navy of Tarshish, every three years brought ivory, silver, and the gold of Ophir.¹ The prophet Ezekiel, who was contemporary with Necho, mentions, in his account of the merchandise of Tyre, ivory, ebony, and the persons of men, evidently designating African commodities.² Some idea of the strength and materials of the ships of the Tyrians, and of their seamanship, may be gathered from Ezekiel's apostrophe to Tyrus: "They have made all thy ship-boards of fir trees of Senir; they have taken cedars of Lebanon to make masts for thee; of the oaks of Bashan they

¹ 2 Chron. viii. 18, and ix. 21.

² Ezek. xxvii. 13, 15.

have made thine oars. Thy wise men, O Tyrus, were thy pilots. The ancients of Gebal, the wise men thereof, were thy calkers."

Of the voyage of "Sataspes, the man of the Achæmenides," much has been said; but that such a voyage was undertaken, with the consent of Xerxes, about five hundred years before Christ, there can be little doubt; nor that the circumnavigation of the African continent was then already demonstrated a practical thing.

Of the voyages mentioned by Pliny, that of Hanno, the Carthaginian, is best authenticated, who sailed from Carthage with sixty galleys, each carrying fifty oars, having on board thirty thousand men and women, with provisions and articles of traffic, on a colonizing expedition to the western coast of Africa.

The fact of the circumnavigation of Africa by the Phœnicians and Egyptians appears to be clearly proved by ancient history, as also by confirmatory discoveries reserved for the fifteenth century. These voyages, together with those of the Carthaginians, have suggested to many minds the thought that portions of the American continent may have been peopled from beyond the Atlantic.

The discovery of the Canary Isles by the Carthaginians is a fact well attested. Pliny speaks of them as then destitute of inhabitants, but containing *vestigia ædificiorum* — the remains of buildings. They must then have been inhabited before the Carthaginian discovery. In Plutarch's time, the Fortunate Islands were not only inhabited, but were celebrated for their fertility. But when Madeira and Porto Santo were discovered by the Normans and Portuguese, both were uninhabited.

A question, hence, has arisen: if these islands were some time inhabited, and then deserted, what became of the inhabitants? Glas, in his history of these islands, in 1764, refers to the fact that two thirds of the Canary Isles are covered with calcined rocks, pumice, and black ashes, formerly thrown from volcanoes. He supposes that some of the inhabitants may have been destroyed by these eruptions, and others may have abandoned the country to go in quest of more secure habitations. It has been asserted by some that they passed over to America.

Again, it has been supposed that ancient navigators may have been driven by currents and tempests to the westward, and thus brought to the continent or islands of America—in confirmation of which many such cases of more modern date may be adduced, as also such facts as that mentioned by Herrera, the Spanish historian, of Columbus having found parts of vessels at the Island of Guadaloupe.

In the class of fortuitous visits to America is mentioned the fact that Vasco Nunez met with a colony of negroes in the Gulf of Darien, who seemed not long to have been planted there, and which “must have come in canoes.”

Cabral, the Portuguese, in 1500, in a voyage to India, to his surprise found himself ashore in an unknown country, which proved to be the coast of Brazil.

Numerous instances might be named illustrative of the manner in which America may have proved an asylum to ancient navigators. That the continent was peopled in part by Phoenicians, has been ably maintained by many.

The idea that the Indian, or red man, was the most ancient or original man in America is not clearly

demonstrated; neither is the assertion made clear that these men were every where of the same race or people. That the Indians of America belonged to the same *general* family, may be very probable; and the attempts made to trace their connection with the most ancient nation in Asia are not without the appearance of great probability. It is asserted that the Hindoos were the Indians of Asia. Again, it is stated that the American Indians bear much resemblance to another of the nations of Asia — the Tartars. The Tartars, joining upon India, spread over the northern parts of Asia, and extended to the eastern coasts of the Pacific. In Peru, it is said, were found relics of Chinese customs and manners. So that the conclusion of many has been, that, though the red man of America was of the same origin with the red man of Asia, their descent was not from any particular nation, but from several on the eastern continent.

No insuperable difficulty attends the idea of such emigrations. The continents of Asia and America approach so nearly to each other, that at no time within the period of history was the navigation of the rudest tribes unequal to the passage. Nor is it improbable even that the red man might have found a passage to this continent altogether by navigation. The Malayans possessed in former times much the largest trade of the Indies, and their ships visited not only all the coasts of Asia, but those of Africa, particularly Madagascar, and even extended their voyages and migrations to the Marquesas and Easter Islands — a space including nearly one half the circumference of the globe. It has been regarded as highly probable, that the same people who spread over the islands in the Pacific at times arrived on the western shores of

this continent. In both ways might people from different nations in Asia find a passage to America, and at very different periods of time.

The Esquimaux, differing in many respects from the red men, were early spread over the most northern parts of America. Their migrations had extended to Norton's Sound, Oonalashka, and Prince William's Sound, fifteen hundred leagues from their stations in Greenland and Labrador; and their appearance, it is shown, denotes them to be the same with the Laplanders, the Zemblans, the Samojeds, and the Tartars, in the East.

The passage from the northern parts of Europe to America was certainly an easy one at a very early period. The voyage from Norway to Iceland, and from Iceland to Greenland or the coast of Labrador, was practised from the earliest times of which we have any account. None doubt that in the ninth century the Norwegians had planted and settled their colonies in Greenland;¹ and it is confidently asserted that the

¹ The ancient inhabitants of Norway and Denmark were distinguished by the name of Normans. Their situation near the sea coast, and the advantages presented by the sea over a rough soil and cold climate, led them at an early period to the science and practice of navigation. They built their vessels with the best of oak, and constructed them in such a manner as to encounter the storms and billows of the northern ocean. They covered them with decks, and furnished them with high forecastles and sterns. About the end of the eighth century, the Normans began to make themselves distinguished by their predatory excursions. In the year 861, they discovered Iceland, and soon had a colony there. In 889, Greenland was likewise an object of attention. Biron, an Iceland, made voyages every year to different countries for traffic. There cannot be much doubt that in 1002 they were in Newfoundland, where were already a people whom, from their diminutive size, they denominated *skraelings*, or *dwarfs*. In subsequent voyages it is supposed that they visited different parts of the New England coast. It is thought

Esquimaux were derived from the same people in the north-west parts of Europe, and that their descent must have been from the Tartars of Asia, from whom the Laplanders, in the north-west parts of Europe, originated. That all the present inhabitants of the earth are derived from the race of Adam, is generally regarded an established fact; and that the Esquimaux and the Indians were both descended from the men of Asia, it is easy to imagine, although the demonstration may be more difficult. The peoples found in America, in whatever part, or of whatever name, were not more distinguished by differences of complexion, stature, features, customs, or peculiarities of any kind, than the inhabitants of other parts of the globe. Whether these differences were originally caused by climate, manner of life, or other circumstances, this one thing seems to be generally conceded — the inhabitants were not of a different primary origin or location.

by some highly probable that they spent a short season at the head of Narraganset Bay; and the inscription on the rock at Dighton is believed to corroborate the hypothesis. A discovery of more recent date, on an island near the shores of Maine, gives additional plausibility to the theory that the coasts of North America were visited by Northmen some centuries before natives of England or France came hither. On a small island near Monhegan was found, in 1808, a curious inscription, made on the side of a rock. On the top of the rock were found three holes perforated, about one foot apart, as if to accommodate a tripod. The characters on the side are eighteen in number, and that accomplished Oriental scholar, Dr. Jenks, has pronounced them Runic in their origin. In 1834, in digging down a hill in the vicinity of Fall River, and not far remote from the Dighton rock, a human skeleton was exhumed in a remarkable state of preservation, under the envelopments of which was a breastplate of brass, a belt composed of brass tubes, and brass arrows in a sort of quiver. The skeleton and appendages had no resemblance to that of the Indian relics, but rather to drawings taken from Palenque.

That Indians scattered through the continent should have formed themselves into distinct tribes, was a natural consequence of their position; and that, subsisting long in tribal forms as a distinct people, they should have at length acquired distinct dialects, was also natural. It has been asserted, with much show of plausibility certainly, that there are circumstances seeming to claim for them an antiquity fully equal to that of any of the nations of the other hemisphere.

But we must not prolong these desultory reminiscences and speculations. There is much in regard to the whole subject that must, probably, ever remain a mystery.

Still, we may be pardoned, if we remind the reader of Hakluyt's account of Madoc, the Prince of Wales, who, in 1170, discovered a new country in the west, which has been supposed to be America, and who brought a colony of his countrymen to the newly-discovered land long before the days of Columbus: "After the death of Owen Gwynneth, his sons fell at debate who should inherit after him. For, the eldest son born in matrimony, Edward or Torweth Drwydion, was counted unmeet to govern, because of the maime upon his face; and Howel, that took upon him all the rule, was a base son, begotten of an Irish woman. Therefore David gathered all the power he could, and came against Howel, and fighting with him, slew him; and afterward enjoyed quietly the whole land of North Wales, until his brother Torweth's son came to age. MADOC, another of Owen Gwynneth his sons, left the land in contention between his brethren, and prepared certain ships with men and munition, and sought adventures by sea, sailing west, and leaving the coast of Ireland so far north that he came to a land unknown,

where he saw many strange things. . . . He left most of his people in that western country, and returning back for more, went again with ten sails." Whether the destination of Madoc was Mexico, the West Indies, North Carolina, the Mississippi, Nova Scotia, Madeira, the Azores, or elsewhere, has long been matter of speculation, and must, for aught that we see, always remain in uncertainty. Respecting all the hypotheses that have been started, we are at best compelled to adopt in effect the opinion expressed by Bancroft, when speaking of the traditions respecting the "Northmen:" "The story of the colonization of America thus rests on narratives mythological in form and obscure in meaning—ancient, yet not contemporary."

We must not, however, conclude this part of our subject, without giving the reader the benefit of the novel mode hit upon by the learned Dr. Mather to settle the knotty point which has puzzled so many theorists. Whilst some have ascribed the original peopling of America to the remnants of the antediluvian inhabitants escaped from the general deluge; some to a band of emigrants from the old world soon after the dispersion of the grandsons of Noah; some to the Japanese, by way of the Pacific Ocean; some to the Carthaginians, by way of the Atlantic; some attributing the result to the Greeks; some to the Jews; some saying that the original inhabitants came from the north-east coasts of Asia; some, that they migrated from the north-west shores of Europe; others, that, during the three years' voyage of the Tyrian fleet sent by King Solomon in search of elephants' teeth and peacocks' tails, the Phœnicians proved to be the fortunate discoverers;—in short, Phœnicians, Scythians,

Tartars, Chinese, Spaniards, Swedes, Norwegians, Welsh, all have their advocates;—Dr. Mather most adroitly cuts the gordian knot at once: he says, “The natives of the country had been forlorn and wretched heathen ever since their first landing here; and though we know not when or how they first became inhabitants of this mighty continent, yet we may *guess* that *probably* the devil decoyed these miserable salvages hither, in hopes that the gospel should never come here to destroy or disturb his absolute empire over them. But our Eliot was on such ill terms with the devil as to alarm him” (*risum teneatis!*) “with sounding the silver trumpets of heaven in his territories, and make some noble and zealous attempts towards ousting him of his ancient possessions here. There were, I think, twenty several nations of Indians upon this spot of ground, and our Eliot was willing to rescue as many of them as he could from the old usurping landlord of America.”¹ After so *lucid* an hypothesis, all further speculation must end.

¹ See *Mather's Magnalia*, vol. ii. part 3d. And yet even Eliot was punished by the magistrates for censuring their treatment of the Indians! Both he and the zealous Gookin were “threatened, and dare not for some time leave their houses, or go into the street.” We are told that such was “the rage of the people, that the governor of Massachusetts gratified them with a victim: an Indian was executed.” *Bancroft and others.*

CHAPTER III.

The Assay of the Leyden Pilgrims at a Settlement, and their Arrival at Cape Cod. — The Compact. — Election of Governor. — First Christian Sabbath.

It was reserved for the company who, in 1608, had removed to Amsterdam, in Holland, and thence to Leyden, to accomplish the result in New England. These began, in 1617, to meditate a removal to some new country, notwithstanding the discouragements of former attempts. Whether to go to Guiana, the fame of which had about this time spread abroad, through the influence of Sir Walter Raleigh, or to Virginia, was the question; but the idea of a settlement in a new country somewhere, was seriously entertained. Their neighbors, the Dutch, labored to persuade them to go to Hudson's River, and settle under the patronage of the West India Company. But having a decided preference for the government and protection of England, they finally applied to the Virginia Company for a patent.¹

The Virginia Company favored the application; but various causes combined to postpone final action until the latter part of the year 1619, when, eminent merchants of London engaging to adventure their capital in the enterprise, the necessary preparations were made, and the July of 1620 found the first company of emigrants at Southampton waiting to embark on

¹ Mr. Bradford and Mr. Cushman were sent as agents to London, to agree with the Company.

board of the two ships, the Speedwell and the Mayflower, that were being made ready to receive them.

Thus, after residing in Holland twelve years, they sailed, August 6, the whole number of emigrants being one hundred and twenty. Still, disappointments must needs await them. They were obliged to put into Dartmouth for repairs August 13, one of the vessels proving leaky. Putting to sea again August 21, the same cause compelled them to put back again to Plymouth, and leave one of their ships, the Speedwell, Reynolds master, which was pronounced unfit for the voyage. The number of emigrants was also diminished by the lessened accommodations. Sailing again from Plymouth, England, September 6, in the Mayflower, Jones, with one hundred and one passengers, intending to go to what was known as Virginia, or the coast at or near the Hudson River, they found themselves, "after many boisterous storms, in which they could bear no sail, but were forced to lie at hull for many days together," carried so far northward that, November 9, they fell in with Cape Cod,¹ "the which being made, and certainly known to be it, they were not a little joyful." After tacking, and bearing south a while, they became discouraged, changed their course again, doubled the Cape, and finally entered and came to anchor in Cape Cod harbor, November 11, 1620.

After their first making the Cape, they had still hoped to find some place about Hudson River for a settlement; but sailing in its direction about half a day, they fell in among roaring shoals and breakers, and seemed to be in great danger. These shoals were the same that Captain Gosnold had encountered, and which led him

¹ South shore.

to call the land Point Care, and the shoals Tucker's Terror; and which the French and Dutch called Malabarre.¹

The fact was, the Dutch themselves had at this time an eye upon the place of the Mayflower's supposed destination, intending themselves to settle a plantation on the Hudson, and, it is alleged, had bribed the pilot.² We confess that we attach but little importance to this story of the bribery of the Dutch captain, for circumstances combine to favor a different view. We are rather disposed to cherish the faith which teaches that it was an overruling power that delayed the Pilgrims so long on their voyage, and determined their approach, after the severities of winter had begun, to a bleak shore, creating a necessity to land.

They were, of course, disappointed at finding themselves at a point so remote from the object of their intention; but it was already late in the season, and the fatigues of the voyage had been too severe to allow them to think of putting to sea again.³ The weather had been unfavorable during the whole voyage; the

Chatham.

² The Dutch West India Company, it is asserted, who would have been quite willing to have had them settle in some of their colonies, ascertaining that they would continue their allegiance to England, were apprehensive of the consequences of their settlement on the Hudson; for the title to the river and adjacent country was as yet unsettled between England and Holland.

³ "They had, by their agents, negotiated with the South Virginia Company, and obtained permission to transport themselves to America, within their limits." Failing to obtain all that indulgence they desired from the crown, under hand and seal, still they were content that it had been declared, that "the king would connive at them, provided they behaved peaceably." So, "casting themselves on the care of divine Providence, they ventured to America."

ship was leaky, and the people almost constantly wet. One young man had died at sea, and one child had been born.

Arrived at their anchorage in Cape Cod harbor, they seem to have felt, as many a tempest-tossed mariner has often felt since, that they were in good quarters. It "is a good harbor and pleasant bay, circled round, except in the entrance, which is about four miles over from land to land, and compassed about to the very sea with oaks, pines, juniper, sassafras, and other sweet wood.¹ It is a harbor wherein a thousand sail of ships may safely ride. There we relieved ourselves with wood and water, and refreshed our people, while our shallop was fitted to coast the bay to search for a habitation.² There was the greatest store of fowl that we ever saw. And every day we saw whales playing hard by us, of which, in that place, if we had instruments and means to take them, we might have made a very rich return, which, to our great grief, we wanted. Our master and his mate, and others experienced in fishing, professed we might have made three or four thousand pounds' worth of oil. They preferred it to Greenland whale fishing. For cod we assayed, but found none; there is good store, no doubt, in their season. Neither got we any fish all the time we lay there, but some few

¹ That this harbor was once thickly skirted by a heavy growth of wood, is evident from the stumps still remaining one hundred years ago, (see *Mass. Mag.* vol. iii. p. 150,) and from the name *Wood End*. As late as the year 1740, there were oaks in the woods north-west of East Harbor. *Mass. Hist. Coll.* viii. p. 204.

² On the day of their arrival, they landed sixteen men, headed by Captain Miles Standish, and well armed, to procure wood and reconnoitre the place. They also immediately commenced repairing their shallop, that they might explore the harbor and the shores.

little ones on the shore. We found great muscles, and very fat and full of sea pearl.¹ . . . The bay is so round and circling, that before we could come to anchor, we went round all the points of the compass."²

The permission from the Virginia Company was of no use to them here; and having neither authority nor form of government, they felt themselves obliged, for the sake of order, to form themselves into a body politic, by a written instrument, before disembarking.³

Their first act after their arrival (to their honor be it said) was to "fall on their knees and offer thanksgivings to God, who had brought them safe, and delivered them from so many perils." Had all the company been members of the Leyden congregation, it is possible they might have relied on the rectitude of each and all, without resort to any procedure that imposed restraints. But their servants were not of this number, and insubordination might arise. Therefore, after solemnly invoking the throne of grace, it was proposed that forty-

¹ "Though muscles are found in Cape Cod harbor, yet the sea clam, or *hen*, seems to be meant." *Hist. Coll.* — The narrative says, "We could not eat them, for they made us all sick that did eat, as well sailors as passengers. They caused us to cast and scour; but we were soon well again." *Purchas.* — The sea clam is a shell fish that the epicure might covet; but there is a *part* of it always to be rejected. If this be not understood, and that part be retained, such effects may be expected to follow.

² The narrative continues, "We could not come near the shore by three quarters of an English mile, because of shallow water, which was a great prejudice to us; for our people going on shore were forced to wade a bow-shot or two in going a-land, which caused many to get colds and coughs; for it was, many times, freezing weather."

³ "They were, in a sort, reduced to a state of nature; and some of the *strangers* received in London dropping some mutinous speeches, as if there were now no authority over them, this people, before they landed, wisely formed themselves into a body politic." *Prince.*

one persons, including all the male emigrants of age, should subscribe the following compact, as the basis of their government :¹ —

“In the name of God, amen. We whose names are underwritten, the loyal subjects of our dread sovereign lord, King James, by the grace of God, of Great Britain, France, and Ireland, king, defender of the faith, &c., having undertaken for the glory of God, and advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do, by these presents, solemnly and mutually, in the presence of God and of one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid; and by virtue hereof, do enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meet and convenient for the general good of the colony, unto which we promise all due submission and obedience.

“In witness whereof, we have hereunder subscribed our names, at Cape Cod, the 11th day of November, in the year of the reign of our sovereign lord, King James, of England, France, and Ireland, the eighteenth, and of Scotland the fifty-fourth, anno Domini 1620.”

¹ “This day, before we came to harbor, observing some not well affected to unity and concord, but gave some appearance of faction, it was thought good that there should be an association, and agreement that we should combine together in one body, and to submit to such government and governors as we should by common consent agree to make and choose, and set our hands to this that follows, word for word.” *Mourt's Relation.*

This compact was agreed to, and subscribed in the following order:¹—

	No. in Family.		No. in Family.
1. Mr. John Carver,*	8	30. <i>Thomas Williams</i> ,	1
2. Mr. William Bradford,*	2	31. Gilbert Winslow,	1
3. Mr. Edward Winslow,*	5	32. <i>Edmund Margeson</i> ,	1
4. Mr. William Brewster,*	6	33. Peter Brown,	1
5. Mr. Isaac Allerton,*	6	34. <i>Richard Butteridge</i> ,	1
6. Capt. Miles Standish,*	2	35. George Soule, ³	
7. John Alden,	1	14. Mr. Stephen Hopkins,*	8
8. Mr. Samuel Fuller,	2	15. <i>Edward Tilley</i> ,*	4
9. Mr. <i>Christopher Martin</i> ,*	4	16. <i>John Tilley</i> ,*	3
10. Mr. <i>William Mullens</i> ,*	5	17. Francis Cooke,	2
11. Mr. <i>William White</i> ,*	5	18. <i>Thomas Rogers</i> ,	2
12. Mr. Richard Warren,	1	19. <i>Thomas Tinker</i> ,*	3
13. John Howland, ²		20. <i>John Ridgdale</i> ,*	2
21. <i>Edward Fuller</i> ,*	3	36. <i>Richard Clarke</i> ,	1
22. <i>John Turner</i> ,	3	37. Richard Gardiner,	1
23. Francis Eaton,*	3	38. <i>John Allerton</i> ,	1
24. <i>James Chilton</i> ,*	3	39. <i>Thomas English</i> ,	1
25. <i>John Crackston</i> ,	2	40. Edward Dotey, ⁴	
26. John Billington,*	4	41. Edward Leister. ⁴	
27. <i>Moses Fletcher</i> ,	1		
28. <i>John Goodman</i> ,	1		
29. <i>Degory Priest</i> ,	1		

The Hon. Francis Baylies, in his History of New Plymouth, says, "This brief, comprehensive, and simple instrument established a most important principle, a principle which is the foundation of all the democratic

¹ It seems that to those we have given titles was conceded the *Mr.*; those marked * brought their wives; and that all those who are Italianized were in their graves before the end of March. Of the one hundred and one English settlers, were twenty females accompanying their husbands, and forty-two children and servants.

² Of Carver's family.

³ Of Edward Winslow's family.

⁴ Both of Stephen Hopkins's family.

institutions of America, and is the basis of the republic ; and however it may be expanded and complicated in our various constitutions, however unequally power may be distributed in the different branches of our various governments, has imparted to each its strongest and most striking characteristic.

“Many philosophers have since appeared, who have, in labored treatises, endeavored to prove the doctrine that the rights of man are unalienable, and nations have bled to defend and enforce them ; yet in this dark age, the age of despotism and superstition, when no tongue dared to assert, and no pen to write, this bold and novel doctrine, which was then as much at defiance with common opinion as with actual power, of which the monarch was then held to be the sole fountain, and the theory was universal that all popular rights were granted by the crown,—in this remote wilderness, amongst a small and unknown band of wandering outcasts, the principle that the will of the majority of the people shall govern, was first conceived, and was first practically exemplified.

“The pilgrims, from their notions of primitive Christianity, the force of circumstances, and that pure moral feeling which is the offspring of true religion, discovered a truth in the science of government which had been concealed for ages. On the bleak shore of a barren wilderness, in the midst of desolation, with the blast of winter howling around them, and surrounded with dangers in their most awful and appalling forms, the pilgrims of Leyden laid the foundations of American liberty.”

Thus was executed, in Cape Cod harbor, the first instrument probably that the world ever saw, recognizing true republican principles, intrusting all powers in

the hands of the majority;¹ and the same day, proceeding to an election of officers, John Carver was unanimously chosen to officiate as governor² for one year.³

Government was thus regularly established; and the next day, being Sunday, was observed as a day of rest. Without daring to assume that, among the numerous adventurers to New England in years anterior, the Christian Sabbath was never before observed in proper manner, it may be claimed that here, at Cape Cod, was its first religious observance by the pilgrims on these shores.⁴ It were strange indeed if it were not also observed during all the Sundays that intervened, to the 10th of December following, notwithstanding the remarkable assertion often made, that the Sunday which

¹ John Quincy Adams has said, "This is perhaps the only instance in human history of that positive, original, social compact, which speculative philosophers have imagined as the only legitimate source of government."

² This was the first political act, after submitting themselves to a government, by signing the compact. The legislative and judicial power was in the whole body, and the governor was the sole executive officer. The government regulation and discipline ecclesiastical remained as when under the superintendence and instructions of Robinson.

³ Governor Carver dying April 5, Mr. Bradford succeeded him as governor, with Mr. Allerton as assistant, who, by renewed elections, were in office for several years.

⁴ "Thirteen years before a landing was made on 'Forefather's Rock,' the wilderness of Maine echoed to the sound of a pure and fervent liturgy." Indeed, it appears that "Protestant worship and preaching were continued in the Kennebec some time *even previous* to Popham's expedition. . . . In a little chapel built after the savage fashion, L'Escanbote gave public religious instruction to the colonists on Sundays and at other times." See the *Frontier Missionary*, by Rev. Wm. S. Bartlett; 2d vol. *Collections of the Protestant Episcopal Historical Society*; see also previous pages.

was the third day after the explorers came to anchor under Clark's Island, in Plymouth or Duxbury harbor, viz., December 10, "was the first Christian Sabbath ever observed in New England."

It seemed at the time of the arrival of the Mayflower perhaps hardly possible that the event would come to be regarded as so important an era in history — one of those great waymarks by which we measure the track of time. But its results can hardly be overestimated. Like those of the voyage of Columbus, which marks another era, at a time when Europe was just emerging from its "night of a thousand years;" when, by the aid of the mariner's compass, he steered "due west," and made his grand discovery; and when the edict went forth that the ocean should be the highway of nations, and that from the camel and the caravan the commerce of the world should be transferred to swift ships and proud navies, borne by every wind to every clime; and when merchants were destined to become merchant-princes, and human nature to claim a higher destiny, — it is a subject for vast thought, and seems to be exhaustless.

Let it be borne in mind, that when the ever-to-be-remembered Mayflower — a vessel, indeed, of no great capacity, but freighted with destiny — crossed the ocean, the mighty influences of the mariner's compass, the art of printing, the revival of learning, and the reformation, had been in operation only about a century, and that it was not until the close of the fifteenth century, that the old world had heard of the new, and we are the more forcibly struck with the number and greatness of the events that have since transpired.

CHAPTER IV.

Explorations of the Cape by the Pilgrims. — Mistaken Policy towards the Natives.

THE company who had gone on shore the day previous, after the signing of the compact and the election of their governor, (sixteen men, well armed, with Captain Miles Standish at their head, to fetch wood and to reconnoitre,) made a very satisfactory and encouraging report, on their return at night: they had seen no house, nor a human being; but found the place to be "a small neck of land;¹ on this side where we lay is the bay,² and the farthest side the sea;³ the earth, sand hills,—much like downs in Holland, but much better; the crust of the earth, a spit's depth,⁴ excellent black earth; all wooded with oaks, pines, sassafras, juniper, birch, holly, vines, some ash, walnut; the wood for the most part open and without under-wood, fit either to go or ride in."

Some sixteen days were required for the repairs of the shallop, which was drawn to the land for the purpose;⁵

¹ "The men appear to have landed on Long Point, which tradition says has been much diminished in its length, breadth, and height." *Hist. Coll.*

² "By the bay is intended the harbor. They also called Plymouth harbor a bay, as they did the harbor of Cummaquid, or Barnstable." *Ib.*

³ "That is, Barnstable Bay proper." *Ib.*

⁴ "The depth of a spade." *Ib.*

⁵ They had "been forced to cut her down, for the purpose of bestowing her between decks, and she was much opened." *Mourt.*

and in the mean while the people found much employment and recreation on shore.¹

Impatient of the delay in repairing the shallop, ("for the carpenter made slow work of it,") some were desirous of exploring the country at once by land. This was considered dangerous, and inconvenient, too, as it would require them to carry their provisions on their backs. This was finally rather permitted than approved, since all felt anxious to know "whether the place would answer for them to seat in or no." As they sailed into the harbor, there had "seemed to be a river opening itself into the main land;" and this they wished to verify. "So with cautions, directions, and instructions, sixteen men were sent out, with every man his musket, sword, and corselet," under the conduct of Captain Miles Standish, Wednesday, November 15. They marched about a mile by the sea,² when they saw several Indians, with a dog, coming towards them. The Indians, discovering their approach, whistled for the dog, and then disappeared in the woods. They followed after them; but the Indians, seeing that they were pursued by armed men, "ran with might and main." Following them about ten miles by their tracks, they perceived the Indians had circuitously returned "to the same way they went," and at the turning found they had run up a hill, to see whether they were still followed. So our adventurers set three sentinels, kindled a fire, and encamped for the night.³

¹ "Our people went on shore to refresh themselves, and our women to wash, as there was great need." *Mourt.*

² "They probably had been set ashore at the east side of Mill Creek, and their course was on the Barnstable Bay side." *Hist. Coll.*

³ "Probably near Stout's Creek." *Ib.*

Early next morning they again followed the track of the Indians, until they had compassed the head of a long creek,¹ where the pursued took to another wood. Still pursuing, "through bushes, under hills, and along valleys,²—tearing our very armor in pieces,—finding no Indians or houses,—and thirsty, finding no water, having with us no drink save a little bottle of *aqua vite*,—and having no victuals save biscuit and Holland cheese,—at last, we came into a deep valley, full of brush, wood-gaile, and long grass, through which were little paths; and there we saw a deer, and found springs of fresh water,³ and sat down and drank our first New England water with as much delight as we ever drank in all our lives."

Directing their course full south, they came to the shore; and there, according to directions received before leaving the ship, made a fire as a signal.⁴ Going through another valley to find the supposed river, they found a fine clear pond of fresh water, being about a musket-shot broad, and twice as long,⁵ near which were many vines and much sassafras, and which pond was much frequented by fowl and

¹ "East-harbor Creek." *Hist. Coll.*

² "This is an exact description of that part of Truro called East-harbor, except that the trees and bushes have disappeared." *Ib.*

³ "In this valley is the village of East-harbor. In the valley is Dyer's Swamp, around which were springs." *Ib.*

⁴ "The course from Dyer's Swamp to the pond is south." *Ib.*

⁵ "This pond gives name to the principal village of Truro. It begins near the western shore, and extends east. In some maps it is not laid down; in others it is erroneously made to communicate with the bay. East of it, on the Clay Pounds, stands the lighthouse. The greatest part of this pond is now filled with grass and flags in summer, though it is still a pond in winter, as in 1620 it probably was at all seasons." *Ib.*, year 1801.

deer.¹ Passing on from thence, was found much plain-ground, about fifty acres fit for the plough, and signs of the Indians having formerly planted corn there.²

Thinking it best, in order to reach the supposed river by the surest route, to travel on the sea shore, they soon became wearied by the sands; they then "struck into the lands again,"³ and found a path to certain heaps of sand, one of which was "covered with mats, and had a wooden thing like a mortar whelmed on the top of it, and an earthen pot laid in a little hole at the end thereof." "We, musing what it might be, digged and found a bow, and, as we thought, arrows; but they were rotten. We supposed there were many other things; but because we deemed them graves, we put in the bow again, and made it up as it was, and left the rest untouched, because we thought it would be odious unto them to ransack their sepulchres. We went on farther, and found new stubble, of which the Indians had gotten corn this year, and many walnut trees full of nuts, and great store of strawberries, and some vines. Passing thus a field or two, we came to another where the corn had been newly gotten, and here we found where a house had been, and several old planks laid together;⁴ also a great kettle, which had been some ship's kettle. Here was a

¹ "Deer have been seen near this pond by persons now living." *Hist. Coll.*, year 1801.

² "The land on the south side of the pond is an elevated plain." *Ib.*

³ "Probably at the Great Hollow." *Ib.*

⁴ "From the Great Hollow, they travelled south to the hill which terminates in Hopkins's Cliff. This they named Corn Hill. Indians formerly dwelt in great numbers on this hill, and shells are still ploughed up there in great quantities. Hopkins's Cliff is on the north side of Pamet River, in Truro, and Great Hollow, north of the cliff." *Ib.*

heap, newly made, in which were found baskets of corn in the ear, some red, some yellow, some mixed with blue, which was a goodly sight. The baskets were round, and narrow at the top, and held each three or four bushels, and were very handsomely and cunningly made. Whilst digging up the corn, sentinels were placed around. We took the kettle, and filled it with corn, for two men to carry on a staff, and each man filled his pockets with as much corn as we could carry; the rest we buried again, for we were so laden with armor that we could carry no more.

“Not far from this place we found the remainder of an old fort, or palisado, which, as we conceived, had been made by some Christians. This was hard by that place where we thought was the river. We found it dividing itself into two arms by a high bank standing in its mouth, the bank reaching from the sea.¹ That which was next unto us was the lesser,² the other arm being twice as large, and not unlike to be a harbor for ships; but whether it be a fresh river, or only an indraught of the sea, we had no time to discover.³ Here also were two canoes, one on either side. That night we came back to the fresh water pond, and there encamped, making a barricado to the windward of us, and kindling a great fire. We kept good watch, with

¹ “This is an accurate description of the entrance of Pamet River. The high bank is now called Old Tom’s Hill, and it is the termination of a neck between the two creeks. When Truro was first planted, this neck, with other lands, was reserved for the Indians.” *Hist. Coll.*

² “Hopkins’s Creek. There is on it a body of salt marsh. The depth, when the tide is in, is five feet.” *Ib.*

³ “Pamet River, extending almost entirely across the township, being separated from the ocean only by a narrow beach. On its banks is a body of salt marsh.” *Ib.*

three sentinels, through the night, which proved very rainy, every one standing when his turn came; and five or six inches of match was kept burning.

"In the morning we sunk our kettle in the pond. In the woods, on our way home, we lost our way.¹ Wandering, we came to a tree where a young sprit was bowed down over a noose, and some acorns strewn underneath, set by the Indians to catch deer. William Bradford, being in the rear, came up, and whilst examining it, it gave a sudden jerk, catching him by the leg. It was a pretty device, made with a rope of the Indians' own making, which we brought away with us. Getting out of the wood, about a mile too high above the creek,² we saw three bucks,— we had rather have *had* one of them;³ we also sprang three couple of partridges. In the creek were great flocks of wild geese and ducks. Marching some time in the woods, some time on the sands, and some time in the water up to our knees,⁴ we at length came near the ship, and the long-boat came off to fetch us. We were weary, and welcome home, delivering our corn into store to be kept for seed, purposing to make satisfaction, should we meet with any of the inhabitants of that place."

Subsequently, November 27, as soon as the shallop was ready, twenty-four men were appointed, and armed,

¹ "The woods was terminated by a pond, by the side of which they travelled and then through a valley continuing east towards the ocean." *Hist. Coll.*

² "This brought them about a mile south-east of East-harbor Creek." *Ib.*

³ "Their muskets had become useless, because of the wet." *Mourt.*

⁴ "They appear to have waded through Stout's Creek, and also through Mill Creek, and to have passed on to the end of Long Point, from which the ship lay at a distance less than a furlong." *Hist. Coll.*

to go forth and make further discoveries. The captain of the *Mayflower*, Jones, joined the party, with several of his seamen, making in all thirty-four men. The weather was rough, and, with the shallop and long-boat, they were soon forced to make harbor for the night; but a portion of them marched six or seven miles farther, appointing for the shallop to meet them as soon as the weather would permit.¹

All that day and night it blew and snowed, and froze withal. The next day, about eleven o'clock, the shallop coming, they sailed for the river before discovered, which they named Cold Harbor. "We found it not navigable for ships, yet we thought it might be a good harbor for boats, for it flows there twelve feet² at high water. Landing our men between the two creeks,³ we marched four or five miles by the greater of them,⁴ and the shallop followed us. Night coming on, and our men being tired of marching up and down the steep hills and deep valleys,⁵ which lay half a foot thick with snow, we made there our rendezvous for the night, under a few pine trees; and as it fell out, we got three geese and six ducks for our supper, which we ate with soldiers' stomachs, for we had eaten little all that day.

¹ "East-harbor. The men were landed on the point" which forms the harbor. *Hist. Coll.*

² "The mouth of Pamet River, or Cold Harbor, [in Truro,] is twelve feet deep at high water. Thence the river gradually shoals to five feet, which is the depth at the lower bridge. This is to be understood of the lowest summer tides." *Ib.*

³ "The men were landed at Old Tom's Hill." *Ib.*

⁴ "From Old Tom's Hill to the head of Pamet River, the distance is about three and a half miles as the hills run, or three miles in a straight line. The tradition is, that Pamet River was formerly deeper than it is at present, and if so, the shallop might follow." *Ib.*

⁵ "This is an exact description of the land on Pamet River." *Ib.*

“We marched to the place where we obtained corn formerly,—Corn Hill,—and found the rest of which we were very glad. We also found, on digging at another place, a bottle of oil. We went to another, which we had seen before, and found more corn, and a bag of beans. We found yet another heap. So that we had in all about ten bushels.” A portion of the party returned to the ship, December 1, in the shallop, with the corn, and eighteen encamped that night, ready for other discoveries.

Marching thence five or six miles in the woods, and then returning another way, “as we came into a plain ground, we found a place like a grave, but much larger and longer than any we had yet seen, and covered with boards. Resolved to dig it up, we found first a mat, under that a bow, then another mat, and under that a board about three quarters long, and finely carved and painted, having three tines or broaches on the top, like a crown. Also between mats we found bowls, trays, dishes, and such like trinkets. Then under a fair, new mat, two bundles. We opened the greater, and found in it a quantity of fine, red powder, surrounding the skull and bones of a man. The skull had fine yellow hair on it, and some of the flesh. There was also bound up together a knife, a pack-needle, and two or three old iron things. These were enclosed by a sailor’s canvas cassock and a pair of cloth breeches. The red powder was a kind of embalmment, and yielded a strong, but not offensive, smell. It was as impalpable as the finest flour. We opened the lesser bundle; it contained the same kind of powder, and the head and bones of a little child, the legs and other parts of which were bound with strings and bracelets of fine, white beads. There was also by it a little bow, and some

other odd knacks. We brought away with us sundry of the prettiest things, and covered up the corpse again. After this, we digged in sundry like places, but found no more corn, nor any thing else but graves.

“Whilst thus ranging and searching, two houses, lately dwelt in, were discovered; but the people were gone. The two sailors who made the discovery, having their pieces with them, and hearing no one, entered the houses and took some things, but dare not long remain. Others now went, and found the houses to be made of long, young sapling trees bent and both ends stuck in the ground. The houses were thus made round, like an arbor, and covered down to the ground with thick and well-wrought mats. The doorway was not over a yard high, with a mat hung up for a door. The chimney was a wide, open hole at the top, with a mat to cover it at pleasure. In the centre of these dwellings were four trunches driven into the ground, with small sticks laid over, on which were hung the pots and what they had to seethe. Mats were around about the fireplace, probably for beds. These dwellings were double-matted; those within the walls were fairer and newer. In the houses were wooden bowls, trays, and dishes, earthen pots, hand-baskets made of crab shells wrought together; also an English pail, with two iron ears, but wanting a bail. There were also baskets of sundry sorts, and of various sizes and qualities. Some were curiously wrought with black and white in pretty work, and sundry other of their household stuff. We found also two or three deer’s heads, one whereof had been newly killed, for it was still fresh. There were also a lot of deer’s feet stuck up in their houses, harts’ horns, eagles’ claws, and such like things; also several baskets of parched acorns, pieces of fish, and a

piece of broiled herring. We found also a little silk-grass, tobacco seed, and other seeds which we knew not. Without were sundry bundles of flags, sedge, bulrushes, and other stuff to make mats. There was stowed away in a hollow tree some venison. Some of the best things we took away with us, but left the houses standing as they were."

On the morality of these entire transactions, the author does not feel that he is called upon to pronounce. But the profanation of the graves, to say nothing of the taking of the kettle, corn, beans, &c., was unfortunate. The policy carried out too often, in the early intercourse of the white man with the natives, was, to say the least, too much in imitation of that of Hunt,—at best, not calculated to secure the Indians' favorable regard.

Indians were always remarked for the reverence which they entertain for the sepulchres of their kindred. Tribes that have passed generations exiled from the abodes of their ancestors have been known, when by chance they have found themselves travelling in the vicinity, to turn aside from the highway, and, guided by wonderfully accurate tradition, have crossed the country for miles to some tumulus, buried perhaps in woods, where the bones of their tribe were anciently deposited, and there have spent hours in silent meditation. In the early records, it may be seen that the planters had defaced the monuments of the dead at Passonagesit, and had plundered the grave of the sachem's mother of some skins, &c., with which the grave had been decorated. Influenced by the sublime and holy feeling of which we have spoken, the sachem, whose mother's tomb had been violated, gathered his men together, and addressed them in beautifully simple

and pathetic language—an affecting instance, we cannot but think, of filial piety, if not so remarkable a specimen as might be offered of Indian eloquence. We may not, indeed, give his speech in full, or do justice to it. The gist of it, however, is contained in the words in which the spirit of his mother seemed, “when the glorious light of the sky was under the earth, and the birds had ceased to sing, and he had sought for repose,” to reproach him: “Behold, my son whom I have cherished—see the breasts that gave thee suck, and the hands that lapped thee warm; see now the sachem’s grave defaced!” As a great patriarchal family, such injury offered to one was a sacrilege felt by all; and that which is sometimes attributed by the white man to caprice or perfidy, arises in the Indian’s breast from deep, noble, and generous motives.¹

Whatever may be said of the heathenism of the Indians, it is clear that they believed in an invisible and superior power, who governs the destinies of men. Some will have it that they believed in two supreme gods, or great spirits—the good and the evil. Hence their sacrifices, with all the tumultuous ceremonies of their *powwows* and *war dances*. If their enmity was strong, their friendship was warm and affectionate. They seldom had personal quarrels, and never were disposed to steal from, rob, or defame each other. Whenever a family had occasion to leave their hut, or wigwam, it was sufficient for them to set up a stick against the door: this was their lock, and proved a religious security to their dwellings from invasion by Indians. They were also rigid against adultery. Their mode of warfare was, to be sure, by surprise; and this grew out of their peculiar circumstances—isolated and without the modern appliances or instruments of war.

¹ Washington Irving.

CHAPTER V.

Further Explorations by the Company, and final Departure of the Mayflower for Plymouth. — Patent for Northern Virginia. — Pierce's Patent.

"MUCH disputation fell out soon after this excursion about the place where we should abide, and a company was chosen to go out upon a third discovery. We set out Wednesday, December 6. It was a long time before we could get clear of a sandy point which lay within a furlong of the ship.¹ It was cold, and the weather hard, which caused several of the company to be very seasick. At length, clearing the point, and hoisting our sails, we were within an hour or two under the weather shore and had smoother water and better sailing.

"After sailing six or seven leagues by the shore, and seeing neither river nor creek, we at length met with a tongue of land, being flat off from the shore, with a sandy point.² We bore up to gain the point, and found a fair income or road of a bay, being a league over at the narrowest, and some two or three in length. Making directly over to the land before us, we saw, as we drew near the shore, some ten or twelve Indians, who appeared very busy.³ As soon as they saw us, they ran

¹ "The end of Long Point." *Hist. Coll.*

² "Billingsgate Point. This point then joined the land north of it; but it is now an island." *Ib.* — The locations are doubtless correct, but the distances are magnified.

³ They were engaged in cutting up a grampus. *Prince's Annals.*

to and fro, as if they were carrying something away. We landed a league or two from them, and had much ado to put ashore any where, it lay so full of flat sands.¹ When we came to shore, we made a barricade, procured firewood, set out sentinels, and prepared to lodge. We saw the smoke of fire made by the savages about four or five miles from us.

"In the morning, December 7, our company divided, some in the shallop and some on shore, to discover the place. We found it to be only a bay, without either river or creek flowing into it. This place we were minded to call Grampus Bay, because we found many of that species of fish there.² Following the track of the Indians in the sand, we came to where they had struck into the woods by the side of a pond.³ We found where there had been corn; also a great burying place, one part of which was encompassed by a great palisado, like a churchyard, with young spires, four or five yards long, set close, two or three feet in the ground. Within, the enclosure was full of graves, of all sizes. Some of these were paled about; others had something like an Indian house over them, but not matted. These graves were more sumptuous than those at Corn Hill; yet we digged into none of them. Outside the palisado were graves also, but not so costly.⁴

¹ See description of Eastham, in future pages. Mr. Pratt says, "They landed near the present camp meeting ground, in Eastham, a little north of Great Pond."

² "They found fishes called grampus, dead, two inches thick of fat, and five or six paces long."

³ "Great Pond, in Eastham, north of which they landed." *Hist. Coll.*

⁴ Bradford says they found four or five deserted wigwams.

"After ranging up and down in the woods till sundown, we hasted to our shallop, supped, set a watch, and betook us to rest for the night. But about midnight, we heard a great and hideous cry, and our sentinel called, 'Arm, arm!' We bestirred ourselves, and shot off a couple of muskets, and the noise ceased. We concluded the noise was made by wolves and foxes, as one of our company told us he had heard such noises in Newfoundland. About five o'clock in the morning, December 8, on a sudden we heard a great and a strange cry. One of our company, being abroad, came running in, and cried, 'Indians, Indians!' and at once their arrows came flying amongst us, and our men hastily seized their arms. The cry of our enemies was dreadful; our men had no sooner secured their arms, than the enemy was ready for the assault. One lusty Indian, and no whit less valiant, who was thought to be the captain, stood behind a tree within half a musket shot of us, and there let fly his arrows.

"He stood three shots of the musket. At length one took, as he said, full aim at him, when he gave an extraordinary cry, and away they all went. We followed them about a quarter of a mile, leaving men to keep our shallop, for we were careful. We took up eighteen of their arrows, which we sent to England. Some were headed with brass, others with hart's horn, and others with eagles' claws."

They named the place where this skirmish occurred, the "First Encounter." For their preservation they rendered thanks to God.

From hence departing, and coasting along about fifteen leagues, they saw no place for a harbor, and therefore concluded to hasten to a port which Mr. Robert Coppin, their pilot, assured them was a good one, and

which they might reach before night.¹ It soon began to snow and rain; the wind was high, the sea rough; they broke their rudder, and it was as much as two men could do to steer the shallop with a couple of oars. The pilot bade them be of good cheer, for he saw the port where he had been on a former voyage. The storm increased, as night drew on, and anxious to get to harbor whilst they could see, they carried all the sail they could. Their masts broke in a heavy sea, their sail fell over, and they were near being cast away; but fortunately the flood was with them, helping to bear them into the imagined harbor. The pilot, being deceived, cried out, "Lord, be merciful; my eyes never saw this place before!"² and he, with the master's mate, would have run the shallop ashore before the wind, in a cove among breakers,³ had not a resolute seaman at the helm cried out, "About with her, or we are all dead men." The boat was with difficulty put about, and although it was very dark, and rained hard, they came safe to anchor under the lee of a small island,⁴ where they remained that night in safety.⁵

¹ It has been supposed probable that the pilot had visited this shore with Captain Smith or Captain Hunt.

² He was now passing the point called the Gurnet Nose, at the mouth of Plymouth harbor. The harbor of Plymouth is formed by a narrow beach, extending from Marshfield southerly six miles, the head of which is a high knoll called Gurnet, on which now stands the lighthouse, and by another beach extending from the mouth of Eel River northerly about three miles.

³ This cove is between the Gurnet Head and Saquish Point. *Morton*. — Within the Gurnet Nose, and not far from the Plymouth Beach, is Saquish and Clark's Island. Saquish is connected with the Gurnet by a narrow beach.

⁴ Clark's Island; called so after the master's mate of the *Mayflower*, who was first to land on the island. *Morton*.

⁵ "This being the last day of the week, December 9, they dry their

The Monday following, December 11, having sounded the harbor, and finding it fit for shipping, and having marched into the land, and finding cornfields and running brooks, they deem it a place fit for a habitation, at least the best to be found, and one which the season and their present necessity should make them glad to accept; and the same day they returned to the ship in Cape Cod harbor, with the news of their discovery.

On returning, they find that, during their absence, Mistress William White has been delivered of a son, who is called Peregrine, the first child born of English parents in New England;¹ also, that Mistress William Bradford has accidentally fallen overboard from the ship, and been drowned, which sad event occurred December 7, her husband, afterwards governor, being absent in the shallop. Besides these events, Edward Thompson died December 4, the first after the arrival

stuff, fix their pieces, rest themselves, return thanks to God, and the next day, December 10, they keep the Christian Sabbath." *Bradford*. — We have, in the preceding quotations in the text, followed the accounts given in early times; but have found it necessary to use *some* liberty in varying the expressions, and condensing occasionally. The full sense is retained, and also all that is important in the precise expression.

¹ Prince says, Peregrine White was born "before the end of November." He died at Marshfield, July 20, 1704, aged eighty-three years and eight months. His father dying, his mother, Mrs. Susanna White, was married to Mr. Edward Winslow, who was the third governor of the colony, in Plymouth, May 12, 1621; and this was the first marriage in the colony. It may be worthy of remark, in this connection, that Elizabeth Patch, the first born female in the old colony of Massachusetts Bay, died at Salem, June 14, 1715–16, aged eighty-seven; and Mary Godfrey, the first child born in the Rhode Island Plantation, died in Newport, April 14, 1716, aged eighty-seven. Such was the longevity of the first-born in each of these three colonies. See *Hutch.* ii. 216.

of the Mayflower.¹ Jasper, a son of Mr. Carver, died December 6. James Chilton died December 8. Thus are recorded the first birth and the first deaths among the colonists, all these occurring at Cape Cod.

As has been already suggested, the question touching the place of settlement had been earnestly controverted previous to the late discovery. It was contended by some that they had better locate where they then were; it was a good harbor; there was corn-ground ready to the hand, and land that had yielded so goodly grain might be expected to yield its future crops; the place would be a good one for whale and other fishing; it was likely to be healthy, safe, and defensible, and further explorations could not be made without danger every way. Others, however, were urgent to go to Agawam,² a place about twenty leagues north, which had been represented to them as an excellent harbor, better soil, and better fishing; besides, for aught they knew, there might be a better seat, and that near by. It would be unwise to settle here, and then remove again. The result of these deliberations was the conclusion to make a further exploration of the bay, but in no case to go so far as Agawam. The place recommended by Coppin, who represented it as having a good harbor³ and a great and navigable river,

¹ Edward Thompson was a servant of Mr. White, and his name does not appear affixed to the compact.

² Ipswich.

³ In this representation their pilot seems to have been sustained; for those who accompanied him report, "The harbor is a bay greater than Cape Cod, compassed with goodly land, and in the bay two fine islands uninhabited, wherein are oaks, pines, walnut, beech, sassafras, vines, and other trees which we know not. The bay is a most hopeful place: innumerable store of fowl; and cannot but be fish in their season—scate, cod, turbot, and herring, we have tasted of; abundance of muscles, the greatest and best we ever saw; crabs and lob-

lying at the other headland of the bay, directly opposite to Cape Cod, about eight leagues distant, — and recommended, too, upon his own intimate acquaintance with the spot, was not to be passed by without consideration. Beyond that point it was resolved not to look. And now the discoverers, Mr. John Carver, Mr. William Bradford, Mr. Edward Winslow, Captain Miles Standish, Mr. John Howland, Mr. Richard Warren, Mr. Stephen Hopkins, Mr. Edward Tilley, Mr. Clark, Mr. Coppin, John Allerton, Thomas English, Edward Dotey, with the master and gunner of the ship, and three common seamen, had returned, bringing back a good report of the land. So the place finally fixed upon was the same to which Captain Smith had, in 1614, given the name of New Plymouth.¹

The ship sailed for this new-found port December 15; but coming within two leagues of it, a north-west wind sprang up, and they were forced back. The next day, December 16, the wind came fair, and the Mayflower took her final departure from Cape Cod, arriving quickly at the desired haven.²

sters, in their time infinite. It is in fashion like a sickle or fish-hook." *Mourt.* — That there *were* two islands in Plymouth harbor is now tradition, verified by the fact that there is a shoal called Brown's Island, about half a mile east by north from Beach Point. Tradition says the stumps of trees were formerly seen there. The navigable river was found, upon acquaintance, to be shorn of its dimensions. The capacity and comparative excellence of the harbor is a question which mariners may decide.

¹ Coppin denominated the place whither he would go, as "Thievish Harbor;" so called from a native having stolen a harping iron from the company with which Coppin had originally visited the place; but whether this was it, or some other, does not clearly appear, since his exclamation, in the moment of danger — "My eyes never saw this place before!" — leaves the matter in some doubt.

² "It must not be inferred from the abandonment of the Cape by the pilgrims, that it was a sheer expanse of drifting sand, as much of

As it falls not within our province, as the historian of Cape Cod, to follow the early pilgrims longer beyond our own native soil, we must here take leave of them, except as we shall occasionally find it necessary to record their visits to this land of plenty in the time of famine, and at other times, when they found it convenient to transact important business with the natives; premising, however, in addition, that, as numbers of them, and those that came after them, had a yearning still for this goodly Cape, and ultimately settled here, and inasmuch as Cape Cod was for a long time under the jurisdiction of the Plymouth Colony, and our history is necessarily much involved in theirs, we may not entirely lose sight of them.

Before the adventurers in the Mayflower had left England, the project of settling America¹ had already

its extremity now is, and [almost] without tree or verdure. Had they arrived in the vernal months, and not at the immediate approach of a rigid winter, they would have rejoiced in the presence of fragrant forests and flowering shrubs, similar, it may be, to those which greeted Gosnold at the Isle of Elizabeth. . . . As we [now] traverse the wild and bleak expanse of the Province Lands, there occasionally emerges from the desert of sparkling sand the dark and mouldering remains of some ancient cedar. These enduring memorials of the antique forest, the well-authenticated traditions of the affluent growth of pine and other trees, and the provincial legislation, compel the belief, that in earlier times the Cape was crowned with a bounteous vegetation." *Hon. Francis Brinley's Report.*

¹ The fact is, (although it may detract somewhat from the *romance* of pilgrim adventures,) when the emigrants by the Mayflower finally landed at Plymouth, "the idea of a settlement here had well nigh ceased to be terrific. The American fisheries had long before become a prosperous and well-established business." "The fisheries of Newfoundland were an object of attraction to both England and France early in the sixteenth century, and both nations cherished designs of founding colonies in America." "Commerce and colonization," Bancroft well remarks, "rest on regular industry. And the humble labors

greatly revived in England; and, November 3, about a week before their arrival in Cape Cod harbor, King James had signed a patent for the incorporation of the adventurers to the Northern Colony of Virginia, between 40° and 48° north,—the Duke of Lenox, the Marquises of Buckingham and Hamilton, the Earls of Arundel and Warwick, Sir Ferdinando Gorges, and thirty-four other associates, and their successors,—styled “The Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing, of New England, in America:” “which,” says Prince, “is the great and civil basis of all the future patents and plantations that divide this country.”¹ Measures were taken by the council for occupying their patent, and in the summer of 1622, two ships were sent over, to begin a plantation on the territory which the settlers at New Plymouth had, contrary to their first intentions, already begun to occupy of necessity. The colonists could not take the benefit of the patent that had been granted them; and it was not until 1630 that they obtained the patent from the council of Plymouth, under which they acted. There

of the English fishermen who frequented the Grand Bank, had, as early as 1575, not only bred a race of mariners for the navy of their country, but had prepared the way for settlements in the new world. Already, year after year, had four hundred vessels come annually from Europe to the shores of Newfoundland, and others to Iceland, for fishing alone.” A settlement, as early as 1607, had been begun on the Kennebec. Previously, another had been undertaken at Port Royal, and afterwards at Quebec. The settlement at Jamestown, Virginia, also preceded that at Plymouth by six years.

¹ The circumstances of the unexpected location of the adventurers in the *Mayflower*, and of the establishment of the council, were, of course, unknown to either party in this connection, but fortunately served the interests of both.

were, however, prior proceedings and patents; one patent even prior to the sending by the council the two ships in 1622, the history of which patent seems to be, at the present time, involved in some obscurity.

The settlers, arrived at Plymouth, "began" early in the spring "to hasten the ship away, which tarried so long by reason of the necessity and danger that lay on them, because so many died, both of themselves and the ship's company likewise, by which they became so few that the master durst not put to sea until those that lived recovered of their sickness, and the winter was over." The ship sailed April 5, and arrived in England May 6.

The council, when informed of the establishment of a colony within their limits, were quite ready to take them under their protection, and the colony, it was understood, were equally desirous of receiving it, if thereby a grant of territory might be procured. An agent being despatched to England, Sir F. Gorges interested himself in the matter, and a grant was accordingly made early in June, with great promptitude.

By the arrival at Plymouth of the ship *Fortune*, which sailed from England in July, but by reason of head winds was not clear of the channel till the end of August, and in which came Mr. Robert Cushman and thirty-five others, (and Mr. Cushman had "been an active and faithful agent and useful instrument in the first design,") which ship "staid at Plymouth not above fourteen days,¹ and returned," a letter was re-

¹ This is supposed to have "meant fourteen days from the time of her being unladen;" and she is supposed to have left December 13. The ship was captured near the English coast, and carried to France.

ceived, addressed by Mr. Weston to Governor Carver, dated London, July 6, informing him that the adventurers had procured for them a charter — “the best we could — better than your former, and with less limitations.” “What use was made of this patent by the Plymouth planters,” says Judge Davis, “does not appear.”

The *first* patent to John Pierce and his associates, given by the president and council of New England, in trust for the company, bears date June 1, 1621. It was probably brought in the *Fortune*, which sailed from England early in July, the same year. It was found among the papers in the Land Office at Boston, early in the present century. That document “grants to the patentee and his associates, who have undertaken a plantation in New England, one hundred acres of land for each person continuing here three years, or who shall die in the mean season, having shipped with the intention of so inhabiting; the land to be chosen and taken in any place or places not inhabited or settled by any English, or, by order of the council, already selected: with the further allowance of one hundred acres for every person sent by the undertakers to the plantation, at their own expense, within the term of seven years, reserving a quitrent of two shillings for each one hundred acres, to be paid to the president and council of New England, after the expiration of seven years: and fifteen hundred acres for every undertaker are granted for the erection of churches, schools, hospitals, town houses, &c., and for the maintenance of magistrates and officers: free liberty of fishing on the coasts, and in the bays, harbors, &c., of New England, being granted, and freedom of trade with England, or elsewhere, paying such duties as the

council are holden to pay: also the privilege of trading with the savages; and of hunting, hawking, fishing, or fowling, in any place not inhabited by any English. It contains a covenant for further assurance, and, after due survey of lands located within seven years, for enfeoffment and confirmation of the territory, by letters of incorporation, with authority to make laws, ordinances, and constitutions, for the rule and government of all persons belonging to the plantation: authority is given to defend the possessions and privileges granted, by force of arms, against all invaders and intruders: and when the lands granted shall be settled, it is further agreed that there shall be an additional allowance and grant of fifty acres for each person transported and settled in the plantation: the patentees agreeing to see that a full account is rendered of all persons conveyed to the plantation—these to apply themselves and their labors, in a large and competent manner, to the planting, setting, making, and procuring of good and staple commodities, in and upon the said land granted unto them, such as corn, silk-grass, hemp, flax, pitch, tar, soap, ashes, potashes, iron, clapboards, and other like materials.”

This patent, it would seem, was afterwards “superse-
ded by a second patent, surreptitiously obtained by
Pierce, for his own benefit, and which, after his mis-
fortunes, was assigned to the adventurers.”

In the ship *Fortune*, on her leaving Plymouth, (and
“whose cargo was valued at five hundred pounds, con-
sisting of furs, clapboards, and sassafras,”) Mr. Cushman
“returned, as the adventurers had directed, to give
them information respecting the plantation.”

In 1623, the *second* patent was issued to John Pierce,
in trust for the colony; but Pierce was selfish, and so

managed matters as to have his success enure to his individual benefit, intending to hold the adventurers as his tenants.¹ The patent obtained in 1629-30, was made to William Bradford and his associates.²

One end which the council evidently had in view in their earliest acts, was the preventing of the access of unauthorized adventurers. The crews of ships visiting the coast of New England had, in their intercourse with the natives, — being far from any established government, — been guilty generally of great enormities, which conduct was injuring the reputation of Europeans among the natives, and exciting them to acts of hostility. It was with this view that Sir F.

¹ Letters from the "adventurers" in England — one bearing date December 22, 1622, the other April 9, 1623 — being received, probably by fishing vessels sent over as usual, they learned that the ship *Paragon* had left the Thames for Plymouth, which ship "had been bought by Mr. John Pierce, and set out on his own charge, upon hopes of great matters. This was he in whose name their *first* patent was taken for this place where Plymouth is, by reason of acquaintance and some alliance that some of their friends had with him; but his name was only used in trust; and when he saw they were hopefully seated, he goes and sues to the council for *another* patent of much larger extent," in their names, meaning "to keep it to himself, and to allow them what they pleased to hold of him as tenants, and sue to his courts as chief lord. But the Lord marvellously crossed him in his proceedings. His ship sprung aleak by the time she got to the Downs, her cable broke, and she was in imminent danger, and thus compelled to put back to London. When again repaired and fitted, and half way to New England, he was again forced back to Portsmouth in Hampshire. The other merchant adventurers thereupon induced him to assign the grand patent to the company." *Morton*.

² A singular fatality for a time seems to have attended these several patents. The Plymouth patent of 1629 was missing for many years, until 1741, and is understood to have been found among Governor Bradford's papers, in Plympton. *Judge Davis*.

Gorges' son, Captain Robert Gorges, was despatched, in 1623, with a commission as "lieutenant general and governor of New England," Captain Frs. West, Christopher Levet, and the governor of New Plymouth for the time, being appointed for his council. Gorges, much dreaded by the new comers, after holding one court in Plymouth, and remaining in the country a year, returned to England, and also the Rev. William Morrell, an Episcopal clergyman, acting as chaplain to Gorges, who was sent over to have a superintendence in ecclesiastical, as Gorges had in civil affairs. Mr. Morrell, however, made no use of his commission at Plymouth, and only mentioned his having it in a conversation about the time of his departure. Thus the general government which the council aimed to establish, and which was much feared by the planters, fell through. Mr. Morrell appears to have been a man of prudence, and a diligent inquirer in respect to the state and circumstances of the country, its natural productions and advantages, and the manners, customs, and government of the natives. The result of his observations he wrought into a poem, which was published both in Latin and English. The Latin was not without classical merit.¹

¹ The following, addressed to King Charles I., is a specimen: —

"Est locus occiduo procul hinc spatiosus in orbe
Plurima regna tenens, populisque incognitus ipsis:
Fælix frugiferis fulcis, simul æquore fælix,
Prædis perdives variis, et flumine dives,
Axe satis calidus, rigidoque a frigore tutus."

CHAPTER VI.

Subsequent Intercourse with the Cape. — Iyanough of Cummaquid. — Aspinet of Nauset. — Effects of Hunt's Perfidy. — Indian Tribes. — The Ship Fortune touches at the Cape. — Cape Cod a Granary for the Early Settlers at Plymouth. — Mattachiest. — Monamoyick. — Manomet visited by Dutch, French, and English.

THE first mention we find of Cape Cod, after the settlement at Plymouth, is March 17, 1621, when, after the settlers had their first interview with an Indian, who came to them boldly with the salutation, "Welcome, Englishmen! welcome, Englishmen!" they were informed that the Nauset¹ Indians, south-east of Plymouth, were much incensed against the English, because of Captain Hunt, of Smith's fleet, who carried away twenty Indians from Patuxet, and seven from Nauset, and sold them as slaves. SAMOSET, who has given this information,² says that the Indians whom the party from the Mayflower first encountered, as before related, were Nausets. He says further, that, because of this act of treachery and perfidy on the part of Hunt, these Indians, about five months before the landing of the pilgrims on Cape Cod, had slain three Englishmen, and that two more barely escaped to Mohiggon.³

¹ Eastham, which originally embraced Chatham.

² Samoset had learned to speak broken English from the crews of fishing vessels visiting the eastern shores, the names of most of the commanders of which vessels he knew, and seemed familiar with the coast from Nauset to Maine.

³ Samoset came from Mohiggon — sometimes written Monhigan,

The next mention of the Cape is in connection with the loss of John Billington in the woods near Plymouth, in the month of July, 1621. This boy, belonging in Plymouth, being missed, search was made for him in vain,—until at last the governor caused inquiry to be made among the natives. The great sachem of the Wampanoags, MASSASOIT, on hearing that a boy was lost by his new neighbors at Plymouth, with great promptness and kindly feeling, caused an inquiry to be instituted among all the surrounding tribes, and was soon enabled to send word to Plymouth that the boy was at Nauset. He had wandered in the woods five days, living on berries, and then had come to an Indian plantation at Manomet,¹ twenty miles south; from thence he had been taken, by those who had sheltered and fed him, to Nauset. He was, it will be perceived, in the keeping of that very people who, the December previous, had the conflict with the predatory gentlemen from the Mayflower, who had ransacked the Indian sepulchres, opened their storehouses of grain, and supplied themselves *ad libitum*, spoiled their habitations of whatever they fancied, and had given demonstration to the natives of the magic power of firearms,—that very people whose bosoms were yet filled with fear and the spirit of revenge, on account of the treatment they had aforetime received from the famous kidnapper, Captain Hunt.

The governor of Plymouth, on receiving this intelligence, despatched a shallop, on board of which were

or Monhegan. Indian names are so variously recorded that it may be difficult, in the progress of this work, to preserve a uniformity. Indeed, we may of choice follow the orthography of the record from which we quote.

¹ In Sandwich.

ten men, with Tisquantum¹ and Tockamahamon² as guides and interpreters, to fetch the boy. On their way they were obliged to come to anchor at night.³ The next morning, they found that the ebbing tide had left their shallop aground, and saw Indians on the other side of the channel beckoning to them. These Indians, it was ascertained, had come down to the shore to bear an invitation to the English to come over the channel, as soon as the shallop should float, and partake of the hospitality of their sachem, IYANOUGH, whose residence was near by. Iyanough was the sachem of Cummaquid.⁴ At the proper time, the messengers again presented themselves; but the English being always suspicious, and aiming to be prudently cautious, arrangements were made by which they were to remain on board the shallop four of the messengers of Iyanough as hostages, whilst six only of the boat's company should go with the other messengers, to visit the sachem, agreeably to invitation.

They found the sachem ready to receive them with great kindness and courtesy. He was "a man very personable, gentle, courteous, and fair conditioned —

¹ Usually written Squanto: the Indian who came with Samoset on his second visit to the pilgrims, and who was represented as the only surviving native of Patuxet, and one of those kidnapped by Hunt.

² The Indian sent by Massasoit to guide the English deputation back to Plymouth, after their visit to Pokanoket.

³ At Cummaquid — Barnstable harbor.

⁴ The country between Barnstable and Yarmouth harbor. They are said to have come to anchor in the bay; but by the bay is meant the harbor of Barnstable. Iyanough was sometimes called Iyanough of Cummaquid, and sometimes Iyanough of Mattachiest. This is accounted for by the fact that Cummaquid was the region about Barnstable harbor proper, and Mattachiest that part of Barnstable bordering directly on Yarmouth, including a part of Yarmouth. These were his possessions.

about twenty-six years of age — indeed, not a savage, save in his attire. His entertainment was answerable to his parts, and his cheer plentiful and various.”

After dinner, the sachem, with two of his men, offered to accompany them to Nauset, which civility they “gladly accepted,” and the shallop was soon under weigh for the place of their destination. The tide, however, was not favorable; the harbor of Nauset was shallow, and before they could get in they were aground again.

It was now proposed by Iyanough to send a messenger by land to Nauset, to acquaint the sachem of that plantation with their position and errand. Iyanough and his men went on shore, and Tisquantum (or Squanto, as he was familiarly called by the English) was despatched with a message to Aspinet, the Nauset sachem.

Soon after sunset, Aspinet arrived, a hundred men with him. On receiving the message, in a long train he had repaired promptly to the location of the shallop, bringing the boy with him. On arriving at the shore, one half of the number unhesitatingly waded through the water to the shallop unarmed, one of the number bearing on his shoulders the youth all decorated with ornaments, and delivered him to his English friends. The other part of the company had stood off at a short distance, with their bows and arrows.

A present of a knife was made to the Indian who had kindly entertained the boy, and a knife was also presented to the sachem, Aspinet.

Aspinet embraced the opportunity thus presented of “making peace,” and establishing a firm friendship with the English settlers at Plymouth.

When all the circumstances of the case are consid-

ered, we are constrained to admire the forbearance, and not only pacific, but friendly disposition, of the Indians. There was present on this occasion an Indian woman, who was more than one hundred years of age. She had come from Nauset on purpose to see the English, for she had never seen an Englishman before; but, seeing them, she wept with great and sore lamentation. The English, inquiring the cause, found that she was the mother of three of the men stolen away by Hunt, and that the remembrance of her loss had overpowered her. She said her three boys were, at the time they were kidnapped, her only surviving family, and she, by that act, was left alone in her old age. The party from Plymouth endeavored to pacify her by assuring her that Hunt and his people were *bad* Englishmen, but that the Plymouth people were good friends to the Indians. They gave her also "some small trifles."

Iyanough, also, before parting with the company of English visitors, embraced the occasion to give in his friendly adhesion. The Indians, it is proper to add, were prevailed upon to accept some trifling presents for the corn which had been taken from their granaries the December previous.

Iyanough seems to have been regarded by the settlers as particularly distinguished for his courteous manners and comely appearance. Were he not a "savage," it would have been thought that his whole deportment indicated great goodness of heart and refined sensibilities. Besides various kind offices which he seemed desirous of rendering with his own hand, such as taking the rundlet of the Englishmen and going in the night some distance to fill it with cool, fresh water, he could not let his visitors return without a parting festival, at which all his people, men, women, and chil-

dren, were assembled. The women joined hand in hand in dancing and singing, and the scene closed by Iyanough taking a bracelet from his own neck, and placing it upon the neck of the leader of the English party.

On the 13th of September, that same year, nine sachems subscribed an instrument of submission to King James, viz., § Ohquamehud,¹ Cawnacome,² Obbatinnua,³ § Nattawahunt, Corbitant,⁴ Chikatabak,⁵ Quadaquina,⁶ § Huttamoiden, and § Apannow. The great "Massasoit also does the same, with many kings under him, as of Pamet, Nauset, Cummaquid, Namasket, with divers others who dwell about the bays of Patuxet and Massachusetts."

It may as well here be stated that, before the arrival of the Plymouth settlers, the territory afterwards constituting the old colony of Plymouth, was possessed by a nation of Indians called Wampanoags, or Pawkunnawkuts, generally written Pokanokets. The Indians in the county of Barnstable were made up of distinct tribes, but they seem to have been, in some sense, under the chief sachem of the Wampanoags.⁷ Of the various

¹ Of those marked § no satisfactory account can be given. In the Relation by Mourt, he says, "Yea, Massasoit has owned the King of England to be his master, both he and many kings under him, as of Pamet, Nawset, Cummaquid, Namasket, with divers who dwell about the bays of Patuxet and Massachusetts."

² Of Manomet, in Sandwich.

³ Shawmut, now Boston.

⁴ Of Mattapuyst — Swansey.

⁵ Of Neponset.

⁶ Brother of Massasoit.

⁷ The Indians upon the Cape were not considered as a part of the Wampanoags, whatever may have been their position in regard to Massasoit. It is asserted that there were two sachemdoms or cantons of the Cape Indians, one extending from the borders of Plymouth, and embracing Mashpee, a part of Barnstable and Falmouth, as well

tribes upon the Cape, the Nauset Indians occupied a prominent position. They dwelt on the land which the English afterwards settled by the name of East-ham; and their country extended from Nobscussett to

as Sandwich, including divers petty sachems or sagamores; the other extending from Mattachiest to Cape Cod harbor. "The Wamponoags were a great people heretofore," says Gookin. "They lived to the east and north-east of the Narragansets, and their chief sachem held dominion over divers other petty sagamores or sachems, as upon the Island of Nantucket and Nope, or Martha's Vineyard, Nauset, Manomayick, Saukatucket, Nobsquasset, Mattakees, and others, not excepting some of the Nipmucks. This people were a potent nation in former times, and could raise about three thousand fighting men. They held war with the Narragansets, and often joined with the Massachusets, as friends and confederates, against the Narragansets. Great numbers of them were swept away by an unusual pestilence which prevailed in the years 1612 and 1613. Thereby divine Providence made way for a quiet and peaceable settlement of the English. Some old Indians, who were youths at the time of this desolating epidemic, say that the bodies were exceeding yellow, both before and after death." *Gookin*.—"Besides the Wampanoags, the principal nations of Indians then inhabiting New England were the Narragansets, whose territory extended about thirty or forty miles from Seekonk River and Narraganset Bay, including nearly the whole of Rhode Island, and other islands in that bay, being their east and north bounds, and so running westerly and southerly to Wekapage, four or five miles to the eastward of Pawkatuck River. They could once raise five thousand fighting men. The Pequots were in Connecticut, having the Narragansets east, and could once raise four thousand men fit for war. The Massachusets inhabited principally about Massachusetts Bay, and their chief sachem held dominion over many inferior sachems, as of the Weechagaskas, Neponset, Punkepoag, Nonantam, Nashaway, and some of the Nipmuck people, as far as Pokamatahuke. They could, in former times, arm for war about three thousand men. This people were also smitten by the pestilence. The Pawtuckets were north and north-east of the Massachusets, and included the Pennakooks, Agawames, Nacukeeks, Pascatawas, Accomintas, and others. They could raise three thousand warriors. The pestilence reached them also. The Tarranteens were further east." *Gookin*.

the end of the Cape, including Sautucket,¹ Monamoyick,² Potanumaquut,³ Pochet,⁴ Tonset,⁵ Weesit, Pononakanit,⁶ Pamet,⁷ and Meshawn.⁸ The principal seats of the Nausets were at Namskakct, within the present limits of Orleans, and about the cove which divides Orleans from Eastham. At this cove, shell-fish have always been abundant, and there are still to be seen some indications of the great use they made of them, in the vast collections of shells in different places.

The other Indian tribes on the Cape occupied Nobsusset,⁹ Mattakees,¹⁰ Weequakut,¹¹ Skanton,¹² Sugkones,¹³ Manomet,¹⁴ Kataumet,¹⁵ Comassakumkanit,¹⁶ Pokeeste,¹⁷ and Massapee,¹⁸ which last included Coatuit,¹⁹ Satuit,²⁰ Pawpoesit, Wakoquet,²¹ Ashimuet,²² and Weesquobs.²³

¹ West part of Harwich.

² Chatham.

³ South-east part of Eastham then, now Harwich.

⁴ In Orleans.

⁵ In Orleans — the Neck.

⁶ Billingsgate, or Wellfleet.

⁷ Truro.

⁸ Part of Truro and Provincetown.

⁹ North-east part of Yarmouth, since North Dennis. Sometimes Nobsquassit.

¹⁰ North-west part of Yarmouth and Barnstable harbor. Generally Mattachiest.

¹¹ Pronounced Chequaket. South part of the east precinct in Barnstable.

¹² Scorton, on the line between Sandwich and Barnstable.

¹³ The more modern pronunciation, Succonessit — Falmouth.

¹⁴ Near Buzzard's Bay, in Sandwich.

¹⁵ On Buzzard's Bay.

¹⁶ Near Sandwich — probably Herring Pond.

¹⁷ Or Pokesit — now Pocasset.

¹⁸ Or Mashpee. The Mashpee tribe has long been the principal body of Indians residing in the Old Colony.

¹⁹ Since, the south-west part of Barnstable.

²⁰ Dennis.

²¹ Or Waquoit, now a part of Falmouth.

²² Or Shumet, now in Falmouth, on the west line of Mashpee.

²³ Probably Great Neck.

Bordering on some of these locations was Pispogutt, and other places not now definable, as also Wayayontat and Agawam, now Wareham.

The Indians on Nantucket, Martha's Vineyard, and the Elizabeth Isles, although near, and in constant communication with the Cape, were separate tribes, under their own sachems.

The Mattachiest Indians were under Iyanough; the Indians at Manomet had Caunacome for their sachem; and the Mashpees Tookenchosen, or Paupmunnuck, perhaps both in succession.¹ The government of the other Indian settlements is not so apparent, but it has been supposed that those in Succonessit extending to Wood's Hole, and those at Scorton, were under their own distinct sagamores.

The Indians on Cape Cod, although, as we have said, owing some kind of fealty to the Wampanoags, could not be induced by Metacomet, alias King Philip, the son of Massasoit, notwithstanding his success in engaging almost all the other Indians of the country in the war of 1675, to join him. Those at Manomet, from the time that Canonicus, their sachem, gave in his adhesion

¹ "Some deny that Paupmunnuck was the chief, and make Tookenchosen the sachem. But in 1648, the former sold lands to the people of Barnstable, as being the chief of his tribe." *Hutchinson*. — In 1764, the Mashpees were, says Mr. Hawley, "the principal body of Indians left in New England. They had, at that time, it is thought, not preserved a succession of sachems, but had, for many years, affected government in imitation of the English. However, the great-grandson of Paupmunnuck was, in 1761, considered their chief speaker." Dying that year, another of Paupmunnuck's descendants was conspicuous among them. "In 1764, he was, when nearly fourscore years old, a schoolmaster. They had then a town of sixty-five wigwams. They had also nine wigwams at Scorton, and four at Sockanessit, within the bounds of Falmouth."

to the English, were faithful allies, and proved a defence to Sandwich, and the towns farther down on the Cape.¹

Previous to the arrival at Plymouth of the ship *Fortune*, in November, 1621, with thirty-five new settlers, she touched at Cape Cod, and the Indians brought word to Plymouth of her arrival; but as she made for Plymouth harbor, much alarm was created by an impression that it was a French ship, and the governor ordered guns to be fired to call in all who were abroad at work, and preparations were made for defence. This act of the Indians certainly showed on the part of the Cape Indians friendly feeling, a disposition to be neighborly and kind.²

¹ Hutchinson.

² Prince. The Indians had long since become familiar, of course, with the sight of ships; but a writer in olden times has said, "The Indians in Massachusetts took the first ship they saw for a walking island, the masts to be trees, the sails white clouds, and the discharge of ordnance lightning and thunder, which did much trouble them. But this thunder being over, and this moving island steadied with an anchor, they manned out their canoes to go and pick strawberries there. They do much extol and wonder at the English for their strange inventions, especially for a windmill, which, in their esteem, was little less than the world's wonder, for the strangeness of his whisking motion, and the sharp teeth, biting the corn (as they term it) into such little pieces; they were loath, at first, to come near to his long arms, or to abide in so tottering a tabernacle, though now they dare go any where, so far as they have an English guide. The first ploughman was counted little better than a juggler. The Indians, seeing the plough tear up more ground in a day than their clam-shells could scrape up in a month, desired to see the workmanship of it, and, viewing well the colter and share, perceiving it to be iron, told the ploughman he was almost *abamicho* — almost as cunning as the devil. They frequent often English churches, where they sit soberly, though they understand not such hidden mysteries. They have two sorts of games, one called Puim, the other Hub-bub. They are so bewitched

In the month of May, 1622, the provision of the settlers at Plymouth being spent, Mr. Bradford records, "A famine begins to pinch us, and we look hard for a supply, but none arrives." From some fishing vessels on the coast bread was obtained to the amount of a quarter of a pound per day for each person till harvest, and this the governor caused to be dealt out daily, "or some had starved. The want of bread had abated the strength and flesh of some, and had swelled others, and had they not been where are divers sorts of shell fish, they must have perished."¹ The crop proving scanty, "partly through weakness for want of food," the settlers embraced the opportunity of buying from a Virginia ship, sent to survey the shoals about Cape Cod, "knives and beads, which are now good for trade," paying in beaver; and being thus "fitted to trade for both corn and beaver," they assayed to go around Cape Cod to the southward, but were often baffled in their attempt, until, in November, the governor being one of the party, they succeeded in passing to the south of the Cape.² "Seeing no passage through the shoals of Cape Cod," they put into a harbor at Manamoyk, and "the same evening, the governor, with Squanto and others, went ashore to the Indian houses, staid all night, traded with the natives, and obtained eight hogsheads of corn and beans."³ Here Squanto, their early friend and faith-

with these two games, that they lose, sometimes, all they have; beaver, moose-skins, kettles, wamponpeage, mowhackies, hatchets and knives, is all confiscate by these two games."

¹ Prince, Bradford, Winslow.

² This was the first adventure around the Cape.

³ "Beans are undoubtedly natural to the country as much as Indian corn. In Canada, when the French first found them among the natives, they called them 'beans of Brazil.'" *Hutchinson*. — "The Indians had a tradition that a crow brought the first grain of Indian

ful guide and interpreter, was taken sick and died," bequeathing his effects to sundry of his English friends as remembrances of his love. They sailed thence and visited the Massachusetts, but found they must give as much for a quart of corn as they used to give for a beaver skin. Great complaints were made to the governor against the treatment the Massachusetts received from the English. Discouraged in their application here, they returned again to Cape Cod. At Nauset, they bought eight or ten hogsheads of corn and beans. They secured an additional supply at Mattachiest.¹ But now they had lost their shallop; so they were obliged to stack and cover their treasures, intrusting all to the care of the Indians since they had no means of getting any thing on board the ship.² The governor procured a guide, and they "set out on foot, fifty miles, receiving all respect from the natives by the way, and weary and with galled feet," arrived safely at Plymouth. Three days after, the ship arrived bringing the corn first obtained.

In the January of 1623, Captain Miles Standish being despatched in another ship, with another shallop, sailed to Nauset, found the lost shallop and repaired it, found the corn that had been left behind all safe, and got it on board ship. But whilst there, having lodged ashore, Captain Standish discovered that in his absence "some trifles" had been taken from the shallop as she lay in the creek. No sooner had he missed them, than he took with him certain of his company, and went to

corn; and although this bird often robbed their fields, not one Indian in a hundred would kill them." *Roger Williams.*

¹ "Governor Bradford says twenty-eight hogsheads of corn and beans were obtained in all." *Prince.*

² The shallop had been cast away.

the sachem, demanding restitution, and threatening, in case the goods were not restored, to "revenge it on the Indians before he left them."¹ The sachem seems to have listened to the demand and threat without any spirit of unchristian resentment, and, so far as we are informed, with becoming dignity. For, the next morning he came "in a stately manner," attended by many people, and entering the rendezvous of the valiant captain, saluted him by bowing and kissing his hand, and then delivered to him "the trifles" that had been missed, saying that he had caused the offender to be punished, and that he himself was very sorry that the offence should have been committed. The noble sachem then directed his women to provide refreshments for the captain and his company, and "was glad to be reconciled."²

Soon after this, needing more corn, the governor, with Hobamok³ and others, went "to Manomet, twenty miles south of Plymouth, a town⁴ standing on a fresh river running into a bay towards Narraganset. 'Twill bear a boat of eight or ten tons to this place; hither the Dutch or French are both used to come: it is hence to the Bay of Cape Cod about eight miles, out of which bay the sea flows into a creek about six miles almost directly towards the town. The heads of this creek and river are not far distant."⁵ The sachem of this place

¹ Prince, Winslow. One is here naturally reminded of the remark which Mr. Hubbard made of Miles Standish: "A little chimney is soon fired; so was the Plymouth captain, a man of very small stature, yet of a very hot and angry temper."

² The trifles were some beads and a pair of scissors.

³ Hobamok was a pinese or chief captain of Massasoit, and had come to reside with the English, after their mission to Pokanoket.

⁴ Indian settlement at Herring Pond and Manomet.

See *Annals of Sandwich*. The creek, which opens easterly into

is Caunacum, who, September 13, with many others, owned himself a subject of King James, and now uses the governor very kindly. The governor, lodging here in a bitter night, buys corn, but leaves it in the sachem's custody."¹

Again in February, not having much corn left, Captain Standish went with six men in a shallop to Matta-chiest, and procured "a good quantity of corn from the natives. Through extremity, he and his men are forced to lodge in the Indians' houses, which they much pressed, as he thinks, with a design to kill him." Somehow, his mind was much impressed with the idea that a conspiracy was in progress. He therefore ordered his men that were near his person to keep awake by turns, and afterwards concluded that thus only were they saved.

Here, also, "some trifles" were missed,² which the captain no sooner perceived than, though he had but few men with him, "he drew them from the boat, beset the sachem's house, where most of the people were, and threatened to fall upon them without delay if they

Seusset Harbor, and the river at Manomet nearly-meet on low ground and indicate the route for the canal early projected across the Isthmus of Cape Cod, and which, it was supposed, would be of "vast advantage" to commerce, not only "by saving a long and dangerous navigation around the Cape, and over the shoals adjoining," but would "open almost a new creation" to this place. It was said, "Where are now seen a few scattered dwellings, hundreds would then appear. Employment to large numbers of people would be rapidly furnished; real estate situated on its borders would be greatly enhanced in value; constant markets and easy transportation would be obtained, warehouses erected on the banks of the canal, and the aggregate of national blessings would be immense." The supply of water from the Herring Pond would, doubtless, have been adequate to the work.

¹ See Prince and Winthrop.

² A few beads only.

did not forthwith restore them, signifying that, as he would not offer the least injury, so he would not receive any¹ without due satisfaction." The sachem meekly inquired out the offender, and made him return the articles taken which were a few beads. And then, further to appease the wrath of the testy captain, ordered more corn to be brought. The shallop was loaded, and reached home in safety.

The next month, March 25, 1623, Captain Standish went again to Manomet for the corn the governor had bought, entering Scusset harbor with his shallop. And now being in the house of Caunacum, the sachem of Manomet, two natives arrived from the Massachusetts. The chief of these was Witawamet, who soon became, as Captain Standish conceited, very insulting, boasting of his own valor, and intimating the weakness of the English. Witawamet came, as Captain Standish now imagined, for the express purpose of engaging Caunacum in a conspiracy against the English. These suspected Indians, nevertheless, joined the others in helping carry the corn a long distance on board the shallop.

Captain Standish also alleged, on his return home, that on this occasion, "a lusty savage, belonging to Paomet, (Pamet,) had resolved to kill him, and that the plan was for the Indians there to fall on his company; but the night being exceeding cold, he, Standish, could not sleep, and turned from side to side before the fire all night; so the Indian missed his opportunity. The next day, this same Indian would fain have persuaded Captain Standish to go with him to Paomet, where he had much corn."

About this time, within a few days, Hobamok sug-

¹ This phrase, it will be perceived, has been copied by modern military men and diplomats.

gested that he had heard of a plot against the English, in which the Indians of Paomet, Nauset, Mattachiest, Succonet, Capawak, Manomet, and Agawam were concerned, and advised the English by all means to kill the conspirators without delay. Accordingly, March 23, being yearly court day, the governor communicated this intelligence to the people. They concluded that the matter should be left entirely with the governor; authorizing him, with the assistant and Captain Standish, to do in the premises whatever they might judge expedient. Captain Standish was ordered to take sufficient force, and fall on the principal conspirators at once; but to forbear until he could make sure of Witawamet, the insulting savage whom he had met at Manomet.

The next day the captain repaired to the scene of the conspiracy, which was at Wesagusquaset, — now Weymouth, — “under the pretence of trade.” He got together the Indians most prominent, — Witawamet, Peksuot, a noted chief and counsellor, with one other, and also a brother of Witawamet, — and then, watching his opportunity, he and his men fell upon these Indians, and quickly slew three of them with knives, and hung the fourth. Another Indian, Captain Standish had expected to be present at this interview; but as he had not arrived, the captain and his men hastened to his place and despatched him. Another party, assisting, killed two others. Captain Standish and his men then returned to Plymouth in triumph, bearing with them the head of Witawamet, which they set up on a pole over the fort.

The news of this massacre, spreading among the Indians, created the greatest consternation,¹ causing

¹ “This action so amazes the natives, that they forsake their

them to feel that no confidence can be reposed in those they have befriended, and that any and every one is liable, at any moment, to become the victim of some false accusation, and, upon the slightest pretence, and without a hearing, to be called to swell the number of those fallen before the spirit of relentless extermination. Among those who now ceased to regard their dwellings as safe resorts, and, in hourly expectation of an attack upon themselves, took to woods and swamps, where they contracted disease and became familiar with death, were several of the Cape Cod tribes. Thus miserably died Caunacum, the sachem of Manomet; Aspinet, the sachem of Nauset; and the noble-hearted and courteous Iyanough, sachem of Mat-tachiest; and very many of their people.¹

From one of the above tribes a boat was despatched to the governor of Plymouth, with presents, to procure a peace; but when near Plymouth, the boat was cast away, three of the Indians were drowned, and the only one surviving dare not come near the English to make known his errand.²

houses, run to and fro, live in swamps, &c., which brings on them sundry diseases, whereof many die." *Prince. Winslow.*

¹ "And many others are still daily dying among them." *Winslow.*

² Winslow, Prince. It was on hearing the report of these transactions, that Rev. Mr. Robinson wrote from Leyden to the church at Plymouth, begging them "to consider the disposition of their captain, who was a man of a warm temper." He "trusted the Lord had sent him among them for good, but feared he was wanting in that tenderness of the life of man, made after God's image, which was meet; and thought it would have been better if they had converted some before they had killed any." Notwithstanding these humane suggestions of Mr. Robinson, Dr. Young, in his *Chronicles of the Pilgrims*, intimates the great risk which any man runs who impeaches the Puritans. We have no disposition to speak disparagingly of them, nor do we boast of sufficient fortitude or recklessness to encounter the danger;

CHAPTER VII.

Continued Intercourse with the Cape. — Trading House established at Manomet. — Patent. — Great Storm. — Troublous Times. — Declaration of Rights.

FROM this time the Cape Indians appear to have had but little intercourse with the English for some time. Indeed, the trade with the natives in every direction fell off; partly owing, no doubt, to the diminution of their numbers by the havoc of death, and to the surviving being disheartened, or finding channels of commerce more to their interest, and less repugnant to their feelings; so that, before the close of 1623, Governor Bradford is heard complaining that, although the pinnace sent, September 10, around the Cape to trade, got some corn and beaver, yet it made a *poor voyage*.¹ The chief cause, however, is doubtless to be found in the general distrust the Indians now felt of their neighbors.

In the December of 1626, a ship, with many passengers, bound from London to Virginia, was stranded upon a flat at Monamoyick, and those on board barely

but we will here venture the remark, that had they followed the example of Roger Williams, — the victim of their persecution and outlawry, — or of William Penn, — that noble representative of the abused Quakers, — in their treatment of the Indians, our duty of recording these painful facts might have been alleviated, and they might have saved an immense amount of treasure and blood.

¹ "The Dutch furnish cloth and better commodities; whereas the pinnace had only beads and knives, which are not esteemed." *Bradford*.

escaped with their lives and goods. The master being sick, they had lost their way, and had neither wood, nor water, nor beer left. Through fear of starving, they had "steered towards the coast to find land, and had run over the dangerous shoals of Cape Cod in the night, they knew not how. They came directly before a small, obscure harbor about the middle of Monamoyick Bay; at high water, touched the bar; and towards night, beat over into the harbor, and run on a flat within, close to the beach, not knowing where they were. As the savages came towards them in canoes, they stood on their guard." But the Indians assuaged their fears, asking them "if they were the governor of Plymouth's men," and offering to assist them, and, if they desired, to carry letters for them to Plymouth. The Indians, according to their best ability, supplied the strangers with all that they needed.¹ The governor

¹ From the hospitality and kindness so often and so invariably exhibited by the Indians, whenever their humanity was addressed under circumstances which did not preclude them, one can hardly help adverting to the case of LOGAN, the eloquent Cayuga chief. Logan was the friend of the white people; he admired their ingenuity, and wished to be a *neighbor* to them. But in 1774, when Logan's residence was on the Ohio, his family were murdered by a party of white men. War was the immediate result, and great was the amount of blood drunk by the tomahawk and scalping knife of the infuriated natives, before peace could be restored. When at last a treaty of peace was about being effected, Logan gave in his adhesion in the following terms, addressed to Lord Dunmore, then governor of Virginia: "I appeal to any white man, if ever he entered Logan's cabin hungry, and I gave him no meat; if ever he came cold and naked, and I did not shelter and clothe him. I had thought to live with you in peace—the friend of the white man. But, in cold blood and unprovoked, the white man murdered all the relatives of Logan. He spared not even my women and children. There runs not a drop of Logan's blood in the veins of any living. This called on me for revenge. I have sought it. I have killed many. I have fully

of Plymouth, having received the intelligence, came, with others, to their aid, and brought all the materials written for. "It being no season to go around the Cape, he landed at the bottom of the bay, at a creek called Naumskaket, from whence it was not much above two miles across the Cape to the bay where the ship lay. The Indians carried the things he brought, over land to the ship.

"The governor bought of the natives as much corn as was wanted for the ship, and returned to his boat. He then went into the adjacent harbors, and loaded with corn, and returned home."

Not many days after his return, he again received a message from the ship, saying that the vessel having been repaired, a great storm arose and drove her on shore, by which catastrophe she is so badly shattered as to be wholly unfit for sea. The result was, they all came to Plymouth, whither also their goods were transported.¹

In 1627, the Plymouth colonists had already established a trading house at Manomet, (Sandwich,) and now built a pinnace there, for their better accommodation, to avoid the then dangerous navigation around the Cape. By transporting their goods up the creek, from Scusset harbor, to within four or five miles of the trading house, and then taking them a short distance by land, until they reached the boatable waters of the river on the opposite side, they were enabled to make

glitted my vengeance. For my country I rejoice at the beams of peace. But do not harbor a thought that mine is the joy of fear. Logan knows no fear. He will not turn on his heel to save his life. Who is there to mourn for Logan? Not one!"

¹ The beach where this ship was stranded was thenceforward called the Old Ship. The remains of the wreck were visible many years.

their voyages southward in less time, and without hazard.¹ They not only erected a house here, and kept up a trading establishment, but planted, and raised swine; and "the establishment became one of much importance," not simply as affording facilities for trading on the south side of the Cape, but for commercial intercourse with the Narraganset country and the entire coast of Long Island Sound.² The first communication between the Plymouth colonists and the Dutch at Fort Amsterdam was through this channel. De Razier, secretary to the Dutch government, arrived at the trading house at Manomet in September of this year, in a vessel "laden with sugar, linen, stuffs, &c.," and Governor Bradford sent a boat to Scusset harbor to convey him thence to Plymouth. This Isaac de Razier was a noted merchant, as well as the secretary

¹ This was a mode of communicating with the ports south of the Cape, resorted to by very many of the enterprising seamen of the lower Cape towns, during the war of 1812-15, to avoid capture; with this difference only — that the Town-harbor was preferred to Scusset-harbor, and both *boats and* cargo were carted over in either direction, as the case required.

² Governor Bradford's account of this arrangement is, "For our greater convenience of trade, to discharge our engagements, and to maintain ourselves, we have built a small pinnace at Manomet, a place on the sea, twenty miles to the south, to which, by another creek on this side, we transport our goods by water within four or five miles, and then carry them over land to the vessel; thereby avoiding the compassing of Cape Cod, with those dangerous shoals, and make our voyage to the southward with far less time and hazard. For the safety of our vessel and goods, we there also build a house, and keep some servants, who plant corn, rear swine, and are always ready to go out with the bark, — which takes good effect, and turns to advantage." The location of this trading establishment was not far from what is now called Monument Bridge — the Indian Manomet being corrupted to Monument.

at Manhattan; and the people of Plymouth, having some of them accompanied him to his vessel at Manomet, on his return, to buy goods, purchased also some *wampum*, or *wampum-peack*, which was now first known to them as an article of trade. "After this, the Dutch came often. The first intercourse between these two settlements of neighboring Europeans was conducted here."

In the year 1630, Richard Garratt and others, from Boston, were shipwrecked on Cape Cod, and some died in consequence of their hardships and exposure. The Indians buried the dead with great propriety, to save the bodies from being eaten by beasts, although the ground was deeply frozen, requiring great labor in digging the graves. The survivors, by most assiduous attention on the part of the Indians, were "literally nursed back to life," so nearly perished were they; and when recovered and endowed with sufficient strength, the Indians kindly conducted them some fifty miles through the woods, to Plymouth. Such was the friendly and humane feeling that then prevailed among "barbarians."

The Cape seems to have been a very frequent resort for the procurement of corn, both by the Plymouth colonists and those now settled in the Massachusetts Colony; but in 1631, "great misunderstandings existed," we are told, between the Plymouth and Massachusetts settlements, and "rash measures" were threatened respecting the traffic for corn which was carried on by the Massachusetts people with the Indians on the Cape, the Plymouth Colony demanding the exclusive privilege.

The early settlers in the Massachusetts seem, indeed, to have been as much exposed to the dangers of

famine as the colonists at Plymouth. "The poorer sort were much exposed, lying in tents and miserable hovels, and many died of scurvy and other distempers. They were so short of provisions, that many were obliged to live on clams, muscles, and other shell fish, with groundnuts and acorns instead of bread. One that came to the governor's house, to complain of his sufferings, was prevented, being informed that even there the last batch was in the oven. A good man, who asked his neighbor to a dish of clams, after dinner returned 'thanks to God who had given them to suck of the abundance of the seas and of treasure hid in the sands.' Instances are mentioned of great calmness and resignation in this distress."

Soon after the arrival of the second company, (in the *Fortune*,) the Plymouth colonists were so straitened for provisions that the whole were put upon half allowance. An eagle having been shot, Captain Standish and others of "these famished men found the flesh of this nauseous bird so grateful that they compared it to mutton."

We have already noticed the inconvenience which the Plymouth colonists suffered from being without any acknowledged right to the soil; and must not omit to mention that, January 13, 1630, they obtained a patent, under the Earl of Warwick and Sir Ferdinando Gorges' act,¹ as follows:—

"THE COUNCIL FOR NEW ENGLAND, in consideration that William Bradford and his associates have for these nine years lived in New England, and have there planted a

¹ Messrs. Shirley and Hatherly, writing from Bristol, March 19, 1630, respecting the patent, the difficulties encountered, and of Mr.

town called New Plymouth, at their own charges,— and now seeing that, by the special providence of God, and their extraordinary care and industry, they have increased their plantations to near three hundred people, and are on all occasions able to relieve any new planters or others of his majesty's subjects who may fall on that coast,— do therefore seal a PATENT to the said William Bradford, his heirs, associates, and assigns, of all that part of New England between Cohasset Rivulet towards the north, and Narraganset River towards the south, the Western Ocean towards the east, and between a straight line directly extending up into the main land towards the west from the mouth of Narraganset River to the utmost bounds of a country in New England called Pacanokit, alias Sawamset, westward, and another like straight line extending directly from the mouth of Cohasset River towards the west so far into the main land westward as the utmost limits of the said Pacanokit or Sawamset extend: as also all that part of New England between the utmost limits of Capasecicut or Comasecicut, which adjoineth

Allerton's faithful services, say that they, with Messrs. Andrews and Beauchamp, had taken a patent of Penobscot, to carry on a trade with the natives, and offer the Plymouthans an opportunity to join them in the undertaking, which offer was accepted. Mr. Allerton made three voyages to England for the procurement of the patent, but returned in August, 1629, without success. He went again soon after. His object was to ratify the bargain with the *adventurers*; and he carried bonds given by Governor Bradford, William Brewster, Miles Standish, Isaac Allerton, Samuel Fuller, Edward Winslow, John Jenny, John Alden, and John Howland, who were called *undertakers*, of two hundred pounds each, in behalf of the company. The *purchasers* subsequently involved in these transactions were those who hired the trade, viz., Governor Bradford, Edward Winslow, Thomas Prince, Miles Standish, William Brewster, John Alden, John Howland, and Isaac Allerton.

to the River Kennebeck, and the Falls of Negumke, with the said river itself, and the space of fifteen miles on each side between the bounds abovesaid; with all prerogatives, rights, royalties, jurisdictions, privileges, franchises, liberties, and immunities, and also marine liberties, with the escheats and casualties thereof, (the admiralty jurisdiction excepted,) with all the interest, right, &c., which the said council have or ought to have thereto; with liberty to trade with the natives, and fish on the seas adjoining: and it shall be lawful for them to *incorporate* themselves or the people there inhabiting by some fit name or title; with liberty to them and their successors to make orders, ordinances, and constitutions, not contrary to the laws of England, for their better government, and put the same in execution by such officers as he and they shall authorize and depute; and for their safety and defence, to encounter by force of arms by all means by land and sea, seize, and make prize of all who attempt to inhabit, or trade with the savages, within the limits of their plantations, or attempt invasion, detriment, or annoyance to their said plantations,"¹ &c.

It is worthy of note, that, so far from there being any scramble for office, in those early days, it was found necessary, in 1631, to enact that, "if, now or hereafter,

¹ Martha's Vineyard and Nantucket were not at first included in either of the four New England governments. The Earl of Stirling laid claim to all the islands between Cape Cod and Hudson's River; and in 1641, grants were made, by his agent, of the Island of Nantucket, and two small islands adjacent, to Thomas Mayhew, of Watertown, and Thomas Mayhew, his son. The same year and month, Martha's Vineyard and the Elizabeth Islands were granted to the same. Mr. Mayhew was called Governor of the Islands.

any person chosen to the office of governor refuse, he shall be fined twenty pounds; and that, if a councillor or magistrate chosen refuse, he shall be fined ten pounds; and in case this be not paid on demand, it shall be levied out of said person's goods or chattels." The emoluments of office, it is true, were not tempting; but the honor was something, and the influence that attached to the higher offices, it may well be supposed, was an object of some consideration. At the present day, the country is ever preparing for the frequently recurring strife for political ascendancy.

Although it was early a serious question how far the peculiar laws in force in the colony should be regarded as applicable to the natives, it seems to have been generally admitted that the Indians had a natural right and title in the lands. A *verbal* donation was, indeed, at first regarded as sufficient; but soon it was judged expedient to have the title passed with all the formality and precision of legal instruments, whether the Indians understood the verbiage of the deeds or not. The sachems were generally considered as the only persons having authority to make the conveyance.

Among the remarkable events of this early period is recorded that of a violent storm, which did great damage — the tide rising twenty feet perpendicular.¹

¹ It was in this storm that Mr. Thacher was cast ashore at Cape Ann, on what was afterwards known as Thacher's Island. Twenty-one persons were drowned. None were saved but Mr. Anthony Thacher and wife. The vessel was returning from Ipswich to Marblehead, and was overtaken by a tempest, which drove the vessel on a rock. A cradle, and covering of scarlet broadcloth embroidered, saved from the wreck, is still preserved by the Thacher family, of Yarmouth, where Anthony Thacher took up his residence. His posterity are numerous. In 1643 and subsequent years, he was a deputy from Yarmouth to the General Court. His son, John Thacher, died at

Hubbard and Morton say, "The Narragansets were obliged to betake themselves to the tops of trees, and yet many of them were drowned. Many hundred thousand of trees were blown down, turning up the stronger by the roots, and breaking the high pines and such like in the midst. Tall young oaks and walnut trees of good bigness were wound as a withe by it."

Governor Bradford's account of the storm is as follows: "In 1635, August 15, was such a mighty storm of wind and rain as none living in these parts, either English or Indians, ever saw. It began in the morning a little before day, and came with great violence, causing the sea to swell above twenty feet right up, and made many inhabitants climb into the trees. It took off the roof of a house belonging to the plantation at Manomet, and put it in another place. Had the storm continued without shifting of the wind, it would have drowned some parts of the country. It blew down many thousands of trees, turning up the stronger by the roots, breaking the higher pines in the middle, and winding small oaks and walnuts of good size as withes. It began south-east, and parted towards the south and east, and veered sundry ways. The wrecks of it will remain a hundred years. The moon suffered a great eclipse the second night after it."

This same year, about the middle of November, a vessel, with some of the Connecticut settlers on board, was cast away in Manomet Bay. The men succeeded in getting to the shore in safety, and, after wandering

Yarmouth May 8, 1713, aged seventy-five, and at the time of his death was a councillor of Massachusetts. Rev. Thomas Thacher, first pastor of the third church in Boston, was nephew of Anthony.

ten days in deep snows, without meeting a human being, arrived at Plymouth.

“About this time great troubles arose in the country, especially at Boston; and many, exiled on account of their religious opinions, settled within what was then conceived to be in the patent of the Plymouth Colony — Rhode Island. These acts laid the foundation of future troubles in regard to the right of territory.

“It was the aim of the leaders of the first settlements in New England to prevent what they considered the intrusion of religious opinions conflicting with their own; hence the hostility to innovation and freedom of religious professions and creeds.”

Judge Davis charitably remarks on this subject, “It is observed by the Baroness Stael-Holstein, that ‘the cultivation of all pure and elevated sentiments is so consolidated in England by political and religious institutions, that the scepticisms of genius revolve around those imposing columns without ever shaking them.’ The remark is applicable to other subtle speculations; and, in the present state of society in this country as well as in England,—though our columns may be less imposing,—the application of such harsh remedies as were adopted to repress the Antinomian and Familistical delusion cannot be required. But in the infant state of society, just taking a separate stand as non-conformists, wild and fanatical doctrines occasioned peculiar alarm, and there was a constant solicitude among the considerate leaders of the New England establishments to avoid an opprobrium which their anti-Puritanic antagonists had frequently predicted.”

This same learned, eminent, and judicious apologist for the Puritans adds, “Sir Walter Raleigh, in his

History of the World, expresses an apprehension that 'time will bring it to pass that, if this spirit be not resisted,' (i. e., the multiplication of private opinions and sects,) 'God will be turned out of churches, into barns, fields, mountains, and hedges, and the offices of the ministry, robbed of all dignity and respect, will be as contemptible as such places; all order, discipline, and church government left to newness of opinion and men's several fancies; yea, and soon after, as many kinds of religion spring up as there are parish churches, every contentious and ignorant person clothing his fancy with the spirit of God, and his imagination with the gift of revelation; insomuch that, when the truth, which is but one, shall appear to the simple multitude no less variable than contrary to itself, the faith of men will soon die away by degrees and all religion be held in scorn and contempt.'” And the same learned judge *conjectures*, “that the political and ecclesiastical leaders in the settlement of New England were, *for this cause*, extremely hostile to any innovations or eccentric opinions.”

However this may be, it is certain that many conflicting opinions were now dividing the religious community;¹ but the effect, as we have suggested, was felt most in the Massachusetts Colony.²

¹ “Not many years after the settlement of our progenitors in this land, some, who, through an excess of heat in their imaginations, had been betrayed into various unsound and dangerous opinions, came over to them from England. They had not been here long before they freely vented their notions among the people, multitudes of whom, both men and women, church members and others, were soon led aside, to the hinderance of the gospel, and throwing these churches into great confusion.” *Dr. Chauncey.*

² The errors and heresies charged upon the age were not only Antinomianism and Familism, but Gortonism, Mortonism, &c. The religious

It is, we suppose, well understood that the difference between the settlers of the Plymouth Colony and those of the Massachusetts was chiefly this: The Plymouthers were in advance of their brother Puritans, being considered as separatists. Those under the lead of Endicott and Winthrop were styled non-conformists. The distinction had, before their leaving England, been considered important. But here, the differences between the two classes were soon forgotten, or remembered only as a matter of history. They were all Puritans; and Macaulay, the historian, has honored the class to which they belonged, by styling them "the most remarkable body of men the world has ever produced." — *and in a sense modern*

As the settlements on the Cape are now about to commence, it may be proper that we glance at the peculiar state of the colony, in respect to its government and laws, under which the Cape settlements began their existence. No constitution, or instrument of government, except the simple compact of 1620,

feeling of the times was brought into violent *antagonism*; and, as an illustration of the prevailing horror of the new doctrines promulgated — especially of Hutchinsonianism, alias Antinomianism, — we, with some hesitancy, permit Mr. Secretary Morton to be heard here in full in regard to the prejudices and credulity of the times: he says, "This year there was a hideous monster born at Boston, in New England, of one Mrs. Mary Dyer, a copartner with Mrs. Hutchinson in the afore-said heresies. The monster, as it was related to me, was without head, but horns like a beast, scales or a rough skin like a fish called the thornback; it had legs and claws like a fowl, in other respects as a woman child, — the Lord declaring his detestation of their monstrous errors, as was then thought by some, by this prodigious birth." Judge Davis remarks, "Secretary Morton has the comparative merit of being brief and indecisive upon this subject. Other writers, of superior acquirements, enlarge upon the topic with pitiable credulity and disgusting particularity."

Is this from Secretary Morton, or from Cotton Mather? It is to be found in Mather's Magnalia, and almost certainly first found its way into publication there.

existed until the year 1636. No laws were made touching the general organization of the government; the limits of political rights or powers were not defined; and though the laws of England were supposed to be applicable to the colony, few understood their character, authority, or force. The clergy, who were generally best informed, were disposed to follow the code of Moses rather than that of England. A few regulations had been made, such as were supposed to be imperiously called for by the necessities of the moment; but the power of the church was paramount. As the trade of the colonists began to increase and their settlements to expand, it became evident that law, and not mere opinion,—the civil power, and not church censure alone,—must be employed to prevent otherwise constantly recurring disputes growing out of conflicting interests, and to check the selfish principle inwoven in man's nature and tending to the perpetration of wrongs. Therefore, November 15, 1636, the Court of Associates first set forth the following declaration of rights:—

“We, the associates of New Plymouth, coming hither as freeborn subjects of the state of England, and endowed with all and singular the privileges belonging to such, being assembled, do ordain that no act, imposition, law, or ordinance, be made or imposed on us, at the present or to come, but shall be made or imposed by consent of the body of associates, or their representatives, legally assembled,—which is according to the liberties of the state of England.”

This, it will be perceived, was, in effect, a declaration of independence. Not only was the authority of Eng-

lish laws, "present or to come," renounced, but Parliament was denied the right to legislate for the colony. Under these circumstances, it became necessary to provide for the future. It was, therefore, next enacted, —

"That on the first Tuesday in June annually, an election shall be held for choice of governor and assistants, to rule and govern the plantation." The election was confined to such as shall be admitted as freemen, to whom a stringent oath was prescribed; and none were to be admitted but such as were "orthodox in the fundamentals of religion," and possessed of a ratable estate of twenty pounds. The votes were to be given in person, or by proxy, at Plymouth. Jurisdiction of all causes under forty shillings was given to the governor, with any two assistants, "to try, and to do as God shall direct."¹ The power of trying larger suits or offences was to remain with the whole body of freemen, by juries.

No person was to "live, or inhabit, within the government of New Plymouth, without the leave and liking" of the governor and assistants.² No other civil executive office was recognized than those of governor and assistants, except that of constable, to

¹ However vague and general the power conferred, — "to do as God shall direct," — such was the oneness of religious views among those to whom the power was committed, that decisions were not expected to be contradictory. At the present day, the will of God would be interpreted variously.

² This, Belknap intimates, was "to prevent the contagion of dissimilar habits and heretical principles from without; and it was fully understood, that differing from the religious tenets generally received was as great a disqualification as any political opinions whatever. . . . This," he adds, "was an act of severity that would not be endured at the present day."

whom was given large power. He was to serve, as expressed in his oath, "according to that measure of wisdom, understanding, and discretion as God hath given you," and had authority to apprehend, without precept, "all suspicious persons."

Offences capital, punishable with death, were treason, murder, diabolical converse, arson, and rape. Jurors were to be chosen by the towns; the grand inquest to be impanelled by the government. The occasions that called for the interference of the magistrates were comparatively rare.

It may be remarked that, at this time, the idea generally prevailed that the colonists were at full liberty to establish such government as they chose — even "to form a new state, as fully, to all intents and purposes, as if they had been in a state of nature, and were making their first entrance into civilized society."

Hitherto, the only towns settled in this primitive colony were Plymouth, Duxbury, and Scituate.

CHAPTER VIII.

Settlements on the Cape begun. — Sandwich. — Important Events, and Progress of the Colony. — Yarmouth and Barnstable. — Deputies to the General Court. — Qualifications for Habitaney restricted. — A rigid Surveillance over the new Settlements.

THE year 1637 marks the era of the first English settlement on the Cape. The settlement at Sandwich was projected by Mr. Edmund Freeman¹ and others, who, April 3 of this year, obtained a grant from the Colony of Plymouth, and at once, with a large number of families from Lynn, Duxbury, and Plymouth, but chiefly from Lynn, the ancient Saugus, removed to the location designated. The settlement was begun this year under very favorable auspices, although it was not regularly incorporated as a town until about two years after.

Touching this settlement, the following record appears: "April 3, 1637, it is also agreed by the Court that these ten men of Saugus, viz., Edmund Freeman, Henry Feake, Thomas Dexter, Edward Dillingham, William Wood, John Carman, Richard Chadwell, William Almy, Thomas Tupper, and George Knott, shall have

¹ We shall follow the records of the day in respect to titles. The first settlers of the old colony, like those of Massachusetts, "were very careful that no title or appellation should be given where it was not due. Not more than half a dozen of the principal gentlemen in the Massachusetts Colony took the title of *Esquire*; and, in a list of one hundred freemen, not more than four or five were distinguished by a *Mr.*, although they were generally men of substance. *Goodman* and *goodwife* were the common appellations." See *Hutchinson's History of Massachusetts Bay*.

liberty to view a place to sit down, and have sufficient lands for threescore families, upon the conditions propounded to them by the governor and Mr. Winslow."

We have before mentioned the temporary occupancy of a trading establishment in operation at Manomet, in 1627, ten years previous, four miles distant from the part of the township now being settled. But as this was in its design merely temporary and in its extent limited to a depot for merchandise, with suitable appendages, we may properly regard the energetic movement of Mr. Freeman and associates as the first in the order of the settlement of the towns.¹

As we shall exhibit in the annals of the several towns, in the appropriate place, a full detail of all particulars of interest so far as we are able to gather them, we shall not, in this part of our work, aim at a recital of doings or events other than those which are

¹ Mr. Edmund Freeman came over from England in the ship *Abigail*. He was at Saugus in 1635, in Duxbury in 1637, and, with his nine associates, was admitted freeman at Plymouth, January 2. Lewis, in his *History of Lynn*, says, "Many new inhabitants appear in Lynn in 1635; among them, worthy of note, was Mr. Edmund Freeman, who presented to the colony twenty corselets or pieces of plate armor." And Hutchinson says, "John Carver, William Bradford, Edward Winslow, Isaac Allerton, Miles Standish, William White, Stephen Hopkins, Richard Warren, John Alden, John Howland, Timothy Hatherly, Thomas Willet, William Thomas, Edmund Freeman, James Cudworth, and Thomas Southworth, were the founders of the Colony of New Plymouth, the settlement of which colony occasioned the settlement of Massachusetts Bay, which was the source of all the other colonies of New England. Virginia was in a dying state, and seemed to revive and flourish from the example of New England." He adds, "I am not preserving from oblivion the names of heroes whose chief merit is the overthrow of cities, provinces, and empires, but the names of the founders of a flourishing town and colony, if not the whole British empire in America."

necessarily a part of, or interwoven with, the county's history. And, leaving for the present any further mention of the settlement or progress of the town of Sandwich, we proceed to a record of some of those more general events and transactions in which the Cape has henceforward an interest because of its English inhabitants.

This first settlement found the Plymouth Colony just emerging from that state of things so concisely and aptly described by Baylies, when he says, "For twelve years, Plymouth was *the colony*, and church discipline was *the law*;" and by Thacher, and earlier writers, who say, on the authority of early records, "The people were governed by the moral law of Moses and the New Testament as paramount to all others." A body of laws, styled "The General Fundamentals" was now adopted and established. The first article was, as set forth in the "declaration," "that no act, imposition, law, or ordinance, be made or imposed upon us, at present or to come, but such as has been or shall be enacted by the consent of the body of freemen or associates, or their representatives legally assembled, which is according to the free liberties of the free-born people of England;" and the second, "For the well governing of this colony, it is also ordered that there be a free election annually of governor, deputy governor, and assistants, by vote of the freemen of this corporation."¹ Church membership, however, was an indispensable requisite to becoming a freeman.²

¹ The style of enactment was, "We, the associates of the Colony of New Plymouth, coming hither as free-born subjects of the kingdom of England, endowed with all and singular the privileges belonging to such, do enact, ordain, and constitute," &c.

² They "had adopted," says Hon. Francis Baylies, "no constitu-

Previous to 1637, under the administrations of governors Thomas Prince, William Bradford, and Edward Winslow, some few laws had been enacted; such, for instance, as "for the better government of the Indians, and for their improvement in civility and Christianity;" also "for making orders and constituting courts, appointing civil rulers, and other officers, punishing misdemeanors," &c.; and stocks and whipping posts were provided, which soon became the appendage to meeting houses. It was also enacted, "that no persons shall be allowed to become housekeepers until they are completely provided with arms and ammunition; nor shall any be allowed to become housekeepers, or to build any cottage or dwelling, without permission from the governor and assistants."

The qualifications necessary for freemen were a most extraordinary requisite. Had the Puritans themselves been denied civil privileges in England, until they would join in communion with the churches, as in Massachusetts, or restricted, as they were in the Plymouth Colony, it would have been the very first in their list of grievances. If "opinionists" were punished for their religious preferences, because they were supposed to be deluded, — enthusiasts, errorists, heretics, or formalists, — all will now concede that their oppressors were as much deluded by zeal for the supposed honor of God and the interests of religion, in their bearing towards those who differed in opinion from themselves. Mr. Edward Winslow was this year, by reelection, governor of the jurisdiction of New Plymouth.

tion or instrument of government, except the simple compact in the cabin of the Mayflower. With respect to political objects, previous to 1636, the colony was but a voluntary association, ruled by the majority, and not by fixed laws. The power of the church was in effect superior to the civil power."

In 1638, Mr. Thomas Prince was again chosen governor; and Mr. Morton records the execution of three men for murdering an Indian near Providence. The facts, as they appear, are, that four servants ran away from their masters in Plymouth, and, coming to Rhode Island, had, for some reason, a conflict with the Indian. The Indian escaped to his associates, after being, as was supposed, mortally wounded. The assailants fled to the island, where three of them were arrested by men sent from Plymouth. The Massachusetts government refused to act in the case, saying the deed was committed within the jurisdiction of Plymouth. The Massachusetts rulers, however, urged action on the part of the Plymouth Colony. Mr. Winthrop says the prisoners confessed the deed, and acknowledged that they did it for the Indian's wampum. Still, there remained a question in regard to the actual death of the Indian. Two witnesses testified that the wound was mortal; but none had seen him dead. "At last, two Indians," says Mr. Winthrop, "who with much difficulty were procured to come to the trial, (for they still feared that the English were conspired to kill all the Indians,) made oath after this manner, viz., that if he were not dead of that wound, then *they* would suffer death. Upon this, they three were condemned and executed." Judge Davis well remarks, "This evidence, if correctly reported, will not satisfy modern lawyers of the propriety of the verdict." Mr. Morton, however, says, "Some have thought it a great severity to hang three English for one Indian; but the more considerate will easily satisfy themselves for the legality of it." And a writer of comparatively recent date has said, "It serves to show the stern purpose of the Puritans, that the most rigid justice should not be withheld from the defence-

less natives." Many of us, the descendants of these Puritans, would gladly endorse this latter sentiment, as well as the former; though it is here no part of our office or duty to uphold all the doings of those early days as faultless. But the question in regard to the legality of the sentence every reader will consider, with reference to the circumstances of the colony. In regard to the "stern purpose" that dictated the sentence, some, we presume, would be better satisfied if they could see that justice was always so administered in those early days, and could be assured that these condemned were not previously outlaws in the shape of servants. We may, perhaps, as well confess (for nothing in the long run of history is to be gained by incessant adulation of the early settlers) that the Indians, as they thought, had *not* always evidence of that "stern purpose" of equal justice. The order of the General Court, subsequently, that "whosoever shall shoot off a gun on any unnecessary occasion, or at any game except at an Indian or a wolf, shall forfeit five shillings for every shot," is, with many other incidents, a sad commentary on the *quo animo* of many in regard to the people who received the pilgrims to these shores with a "Welcome, Englishmen."

In pursuing our narrative of events, the reader must bear with us if there are many things stated that are of themselves comparatively unimportant. Like the lights and shadows in a picture, they have their use; and a correct view of the position in which our fathers found themselves, and of the progress made, can hardly be attained without the recital with some degree of minuteness of detail. Even the peculiar enactments by which penalties were imposed for offences that at the present day would be hardly cognizable as such in

the courts, have their significancy; and the singular grouping together of matters strikingly dissimilar shows that the powers that were, under whose rule the settlements were just beginning to be effected, meant to extend a salutary guardianship over all interests, and were resolved that no assumed rights of squatter sovereignty should prevent a circumspect and law-abiding community.

Very early, Mr. John Alden and Captain Miles Standish were directed by the court, to "go to Sandwich with all convenient speed, and set forth the bounds of the lands granted there." The qualifications for house-keeping must also be singularly and strictly defined; (though, after all, it was found exceedingly difficult to cause the rules laid down to be always uniformly and duly observed—for we find that Joseph Winsor and Anthony Besse, who had thus early come to Sandwich, and were laboring to clear up for themselves their respective patches of ground for future culture, were severally presented to the court "for disorderly keeping house *alone*.") Due restrictions upon the intercourse of the sexes seemed also, in view of legislators, to justify the following enactments: "Whereas divers persons, unfit for marriage, both in regard to their years and also their weak estate,—some practising the inveigling of men's daughters, and maids under guardianship, contrary to their parents' and guardians' liking, and of maid servants, without liberty of their masters; therefore it is decreed, that if any man make motion of marriage to any man's daughter or maid without first obtaining leave of her parents, guardian, or master, he shall be punished by fine not exceeding five pounds, or by corporal punishment, or both, at the discretion of the court." Occasional in-

stances occur of the rigid operation of this law, one of the most notable of which was that of a young man in Barnstable, who, within a few years after this law was enacted, was before the court, and laid under bonds "not to attempt to gain the affections" of Elizabeth, daughter of Governor Prince.—Even the allowing of swine to go at large without being ringed, was thus early the occasion of some trouble followed by the imposition of numerous fines; nor does there appear to have been any favoritism or partiality shown, since numbers of the most prominent settlers were mulcted for neglecting to place the wire in their swine's snouts in due conformity with legal requisitions.—It was also "ordered that any person denying the Scriptures to be a rule of life, shall suffer corporal punishment at the discretion of the magistrates, so as not to extend to life or limb."¹ Such were some of the surroundings, at the time when the first foundations of these settlements were being attempted.

Nature also, in sublime utterance, gave food for solemn thought, for on the 1st day of June of this year, occurred the great earthquake noted in New England's annals; "so violent its shock, in some places, that movables in houses were thrown down, and people out of doors could scarcely retain a position on their feet." It

¹ Among the penalties inflicted about this time, in other parts of the colony, was ten shillings on an individual "for drinking overmuch;" on two others, twelve shillings each, "for drinking tobacco in the highway"—probably smoking; another was presented "for selling beer at two pence per quart which was worth but one penny;" another, "for Sabbath-breaking," was fined thirty shillings, and set one hour in the stocks; another, less guilty, was fined twenty shillings; another, "for selling a pair of boots and spurs for fifteen shillings which cost him but ten shillings," was fined thirty shillings; and yet another, "for working on Sunday," was severely whipped at the post.

has been said that, in computing dates, the expression "so long after the earthquake," became "as common, for many years, as once with the children of Israel."

No other settlement on the Cape had, up to this time, been effected; though it appears that, as early as August 7, "liberty was granted to Mr. Stephen Hopkins to erect a house at Mattacheese, and cut hay there this year to winter his cattle — provided, however, that it be not to withdraw him from the town of Plymouth." Again, September 3, to "Gabriel Whelden and Gregory Armstrong permission was granted to go and dwell at Mattacheese, and have a lot there, with the consent of the committees for the place." And again, subsequently, it is said, "The people of Lynn, having established a settlement at Sandwich, an attempt was made from the same quarter to establish another at Mattakeese," (Yarmouth.) Foremost in this work was "the Rev. Stephen Batchelor, the late pastor of Lynn, who, at the advanced age of seventy-six, travelled the whole distance from Lynn to Mattakeese, more than one hundred miles, at an inclement season of the year, on foot." The company with which Mr. Batchelor was associated encountered many difficulties, and the undertaking was, therefore, soon abandoned by them, to be resumed, however, by others, in due time.¹

¹ Mr. Batchelor arrived in Boston June 5, 1632, then seventy-one years of age. He was soon established at Saugus, since called Lynn. The life of this aged man in America was "one constant scene of turbulence, disappointment, discipline, and accusation." As early as 1632, he was required by the Massachusetts court "to forbear exercising his gifts as a pastor and teacher publicly in our patent, unless it be to those he brought with him, for his contempt of authority, and until some scandal be removed." The court removed this inhibition May 4, 1633. Governor Winthrop says, "He was convented before

The first permanent settlement of Yarmouth, next to that at Sandwich, commenced in the summer of 1639, and its incorporation, as will be seen, soon followed. The northern part of this settlement was Mattakeese;¹ the north-eastern part, Hockanom. Yet another part of the territory of the ancient Yarmouth was Sursuit,² which, soon after becoming better known,

the magistrates. The cause was, for that coming out from England with a small body of six or seven persons, and having since received in many more at Saugus, and contention growing between him and the greater part of his church, who had with the rest received him as their pastor, he desired a dismissal for himself and his first members, which being granted upon the supposition that he would leave the town as he had given out, he, with the said six or seven persons, presently renewed their old covenant intending to raise another church in Saugus; whereat the most and chief of the town being offended, for that it would cross their intentions of calling Mr. Peters, or some other minister, they complained to the magistrates, who, foreseeing the distraction that would like to come from this course, had forbidden him to proceed in any such church way, until the cause were considered by the other ministers, &c. But he refused to desist; whereupon they sent for him, and, after his delay day after day, the marshal was sent to fetch him. Upon his appearance and submission, and promise to remove out of town within three months, he was discharged." After he left Mattakeese, he went to Newbury. In 1641, he was pastor of a church at Hampton. He was finally excommunicated, when eighty years old. After two years, the sentence of excommunication was removed, but he was still forbidden as a minister. In Hampton, there were contentions between him and his elder, Dalton, until 1644, both having their parties. He was then called to Exeter, but his settlement there was prevented by the express interference of the court. He died at the age of ninety years.

¹ The Indian Mattakeese, we have already intimated, extended some distance within the present limits of East Barnstable. That part of Mattakeese where the settlement commenced was within the present bounds of Yarmouth.

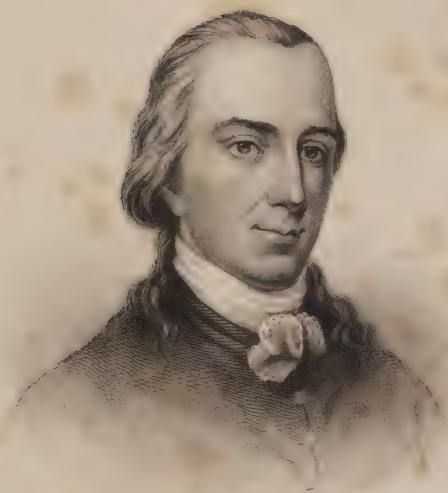
² Since known as East Dennis; about seven or eight miles distant from the former.

invited valuable accessions to the township also in that direction.¹ The grantees at Mattakeese were Mr. Anthony Thacher, Mr. John Crow, and Mr. Thomas

¹ Mr. RICHARD SEARS came over in 1630, with the last of the Scrooby congregation of Leyden, and landed at Plymouth May 8. It was not until after the decease of his father in 1629, that he felt justified in seeking a home in the "New World." The tax rates at Plymouth indicate that he was possessed of large property. In 1643, a company led by him, passing through Mattachiest to Scargo, and looking from its eminence, rested their eyes upon the green meadows of Sursuit and Quivet, shut in on three sides by hills and open on the left to the sea, and resolved to pitch their tents in that quiet retreat. Between the two creeks there was a tongue of fine land made up in part of alluvial deposits, and there they selected sites for their future habitations. Mr. Sears purchased the greater part of this neck of land, and built upon it; and though, after two hundred years, the house in which he resided disappeared, the spot where it stood is still noted. Mr. Sears was a man of much distinction, and is the first and only one of his immediate compeers whose portrait, so far as we can learn, is preserved. It is therefore with much propriety introduced here, as the first of a series which we shall be glad to extend. To the courtesy of a much honored descendant of this excellent man we are indebted for the opportunity of securing a beautiful engraving taken from a painting in Holland in possession of the Egmond family. The likeness is supposed to be accurate, and is strikingly indicative of his character, expressive of great mildness and goodness, having the Grecian features softened by the Christian graces. It is deeply to be regretted that the representations of all the prominent men who laid the foundations of empire in the colony have not come down to us, and that so few are extant even of the distinguished of later days. The ancestor of the Colchester Sears, originally of Kent, is shown by undoubted data to have been Adam Sayer, who died in 1346, possessed of the manor of Hougham, near Rochester, in the county of Kent. From him also is this branch of the American line. From Adam was John, great-grandson, who was one of the barons returned to serve in Parliament for the town of Sandwich, in the reign of Henry VI. Thomas, the youngest son of John, was created a banneret by Henry VII., after the battle of Stoke, in 1487. Such are a few of the ascertained, but disconnected facts in regard to the lineage.

Howes, each and all of whom filled conspicuous places in the early history of the times. Yarmouth was peculiarly fortunate in its incipency in being under

The first name among the descendants of Adam Sayer, found standing at the head of an unbroken line, is that of John of Colchester, alderman of that city, a man of wealth and dignity, who died 1509. He was buried in St. Peter's Church, under the south aisle, a mural brass memorial recording, in old English letters, his name and honors. By Elizabeth, his wife, who died 1530, he had three sons, John, Robert, and George. The eldest of these, John, died in 1562, and was buried near his father in St. Peter's Church, under the south aisle, with a similar memorial. He left two sons, Richard and George. The elder of these, Richard, was born in Colchester, in 1508, and married Anne Bouchier, daughter of Edmund Knyvet, of Ashwelthorpe, county of Norfolk, second son of Sir Edward Knyvet. Richard died in Amsterdam, in 1540, and left an only son, John Bouchier, born 1528, who married Elizabeth, daughter of Sir John Hawkins, the distinguished navigator and admiral, and accompanied his father-in-law in many voyages. He died in Holland, leaving four sons, John Bouchier, Henry, William, and Richard. John Bouchier, born 1561, married Marie L., daughter of Philip Lamoral Van Egmond, of Amsterdam, in 1585, and had Marie L., 1587, Richard, 1590, John, 1592, and Jane Knyvet, 1596. He died 1629. RICHARD, the pilgrim, and first ancestor here of the American branch, born, as we have seen, in 1590, married Dorothy Thacher, sister of Anthony, at Plymouth, in 1632. He was a member of the Plymouth colonial court in 1662, and died 1676. His wife died 1680. They had issue, Knyvet, Paul, Silas, and Deborah who married Zachariah Paddock. From Knyvet, born 1635, who married Elizabeth Dymoke, and died 1686, was descended David Sears, of Boston, who died October 23, 1816, the father of the present Hon. David Sears. From Paul, born 1637, who married Deborah Willard, and died 1707, was Isaac, the patriot known in revolutionary times as "King Sears," and also Rev. E. H. Sears, of Wayland, and Rev. Barnas Sears, D. D., president of Brown University. From Silas, born 1639, is descended a numerous posterity, widely scattered. (See annals of the towns.) For the data above we are chiefly indebted to a most interesting and beautifully printed work, "The Olden Times," by Rev. Edmund H. Sears — private edition.



Richard Sears. The Pilgrim.

1630

*Copied from a Portrait in possession of
the Van Egmont family.*



the direction not only of highly respectable and energetic men, but of such as probably, in general, coalesced better with the leaders at Plymouth¹ than did the majority of those, also highly respectable, who laid the foundation at Sandwich.

A grant was also obtained, in September, for a settlement at Mattakeese, between Yarmouth and Sandwich; and in October, the settlement was commenced chiefly by people from Scituate. Two persons only are named in the grant, "Mr. Joseph Hull and Thomas Dimoc," who, "with their associates," were "to erect a plantation or town at or about a place called by the Indians Mattacheese;" but many persons of character and note were embraced under the term "associates," among whom were the distinguished pastor, Rev. John Lathrop; also, Anthony Annable, Henry Cobb, Thomas Cudworth, Samuel Fuller, George Lewis, Barnard Lombard, Samuel Hinckley, William Crocker, William Parker, Henry Bourne, and others. Indeed, the almost entire church at Scituate removed with the pastor, or soon followed.

As a full account of the preceding settlements will appear in the proper place, we reserve all further remarks touching their early history, beyond the incidents of their progress, for the annals of these towns, as before intimated, — simply recording further in this place, the fact that this year, Sandwich, Yarmouth, and Barnstable became invested with the rights of towns.

¹ They were apparently more identified, as a whole, with the pilgrim interest. Some of them were of the Scrooby congregation, and were less in the interest of "the merchant adventurers."

Hitherto, the governor and assistants, under the general name of "the associates of the Colony of Plymouth," were the legislature. "These," says Hutchinson, "were elected from the first rank. Even after the appointment of deputies, the governor and assistants were the supreme judiciary power, sole in judging of high offences, and to them lay appeals from inferior jurisdictions, after lesser offences were made cognizable before inferior courts, in civil matters." The laws, we have said, had been few, and were termed fundamental, but in general, the court professed to be governed by the common law and statutes of England. Now, for the first time, the towns were permitted to send deputies for legislation. The first representative assembly met June 4. Deputies, or committees, as they were first called, were sent from each town—four from Plymouth,¹ two from Duxbury, two from Scituate, two from Sandwich, two from Cohannet, (Taunton,) two from Yarmouth, and two from Barnstable.

In the committees from these seven towns was vested, conjointly with the governor and assistants, the power that had been previously exercised by the people through the governor and assistants alone. During the entire first period of the existence of the colony, laws had been enacted to a certain extent, treaties concluded, war declared, peace proclaimed, and all the powers of sovereignty exercised, and this had almost entirely escaped the notice of the government of England. This state of things still continued; and difficulties with the natives, domestic factions, religious contentions, repeated attempts to obtain a charter, and cautious plans to save themselves from the sufferings

¹ In 1649, the number of the Plymouth deputies was reduced to two.

of famine and the desolations of Indian warfare, gave the colonists ample employment. Says Baylies, "Hitherto the law-making power had been exercised by the whole body of the freemen when assembled in General Court. The extension of the settlement created a necessity for delegating this power, inasmuch as the distance of some from the place of assembly was so great, that a general and constant attendance was not only inconvenient, but often impossible. Induced by these considerations, the whole court, at a session in 1638, had passed an act in these words:—


"Whereas complaint is made that the freemen are put to many inconveniences and great expenses by their continual attendance at the courts, it is therefore enacted by the court and the authority thereof, for the ease of the several towns of this government, that each town shall make choice of two of their freemen, and the town of Plymouth of four, to be committees or deputies, to join with the bench, to enact and make all such laws and ordinances as shall be judged to be good and wholesome for the whole, provided that the laws they do enact shall be propounded at one court to be considered of until the next, and then to be confirmed if they shall be approved of, except the case require present confirmation; and if any act shall be confirmed by the court and committees, which, upon further deliberation, shall prove prejudicial to the whole, that the freemen, at the next Election-Court, after meeting together, may repeal the same and enact any other useful for the whole; and that every township shall bear their committee's charges, which is two shillings and sixpence a day; and that such as are not freemen, but have taken the oath of fidelity, and are masters of families and inhabitants of the said town, as they are

to bear a part in the charges of the committees, are to have a vote in the choice of them, provided they choose them only of the freemen of the said town whereof they are; but if such committees shall be insufficient or troublesome, that then the bench and the other committees may dismiss them, and the town to choose other freemen in their places.’”

Thus the government, which was nearly a pure democracy, was changed to a representative one, through necessity; but popular opinion was still regarded as the foundation of all legislative proceedings. The right of the assistants and committees to expel any that should be found “insufficient and troublesome,” it has been well remarked, was “hardly consistent with a due tenacity on the part of the people for their rights, for the very words of the reservation were no less ominous than liable to latitudinarian construction.”

In the court record, January 7, the following entry appears: “The names of those to whom the grant of land at Mattacheesett, now called Yarmouth, is made: Mr. Anty. Thacher,¹ Mr. John Crow, Mr. Thos. Howes;

¹ As Mr. ANTHONY THACHER was one of the most prominent men among the settlers at Yarmouth, and the first mentioned in the grant, some more particular mention of him may here with due propriety be made. In the lists of early passengers to New England, as they appear in the Admiralty Office, he is entered as “Anthony Thetcher, of Sarum, Tailor.” It was doubtless often thought justifiable and desirable, after the restrictions upon emigration were imposed, that the vigilance of government should be eluded by occasional *blinds*; but this may not have been a mere evasion for such an end, since the duties and honors that appertain to the avocations of widely differing professions may have centred in one individual. According to Macaulay, the secular position of many of the clergy of that day was such, and “such the menial offices even they were obliged to perform

 John Coite to be inquired of. Candidates for freedom at Yarmouth: Mr. Madrick Matthews, Mr. Ant. Thacher, Mr. John Crowe, Mr. Thos. Howes, Philip Tabor, Wm. Palmer, Saml. Rider, Wm. Lumpkin, Thos. Hatch."

for their daily bread, as would have led many a poor curate to look upon a tailor's bench as a seat of honor." There is, at least, presumptive evidence that Mr. Thacher had been a *curate*. The result of investigations by Mr. Savage is proof to this effect; and the presumption is strengthened by the practice of Mr. Thacher and his more immediate descendants, of bringing their children early to the baptismal font. It has been stated that such was the veneration for some relics preserved from the wreck near Thacher's Island, in 1635, that in certain of those articles of clothing (a scarlet broadcloth blanket, a cap, and dress) every child of the Thacher families in Yarmouth has been enwrapped, through successive generations, when carried to baptism. Indeed, we are constrained to say the evidence is *more* than presumptive—it seems incontrovertible; for the records of Salisbury show that the brother of Anthony Thacher (the Rev. Peter Thacher) was instituted Rector of St. Edmonds in 1622; and that Antonius Thacher was curate in 1633. In 1634 was recorded the death of the wife of each, both rector and curate. The latter contracted a second marriage just before leaving England. It is said, "The Rev. Peter Thacher, minister of the gospel, residing at Sarum, a dissenter from the Established Church, had resolved to emigrate to New England," accompanying his brother; "but the death of his wife changed his purpose." His son Thomas, born May 1, 1620, came, however, with his uncle, being fifteen years old when he embarked. Sailing from Southampton, they arrived at Newbury, June 4, 1635. In the month of August of the same year, (we have already referred to the incident, p. 119,) Mr. Thacher sailed from Ipswich, with his family and other connections, in a bark bound to Marblehead. Wrecked on a rock near Salem harbor, "all his children were drowned. He and his wife were the only persons saved out of twenty-three." His nephew Thomas fortunately took another route. Of this young man, Dr. Cotton Mather says, "He had such a strong and sad impression about the issue of the voyage," short as it was, "that he, with another, would needs go the journey by land, and so escaped." The land route was, at that time, hazardous, being through a wilderness thickly swarming with Indians. It may be pertinent here also to

March 5, is the following: "It is ordered by the court, that Mr. Nicholas Sympkins, Wm. Palmer, Philip Tabor, and Joshua Barnes, of the town of Yarmouth, shall be added to Mr. Anty. Thacher, Mr. Thos. Howes,

remark, that the nephew was subsequently educated under the direction of President Chauncey, and, prepared for the duties of the ministry as also for the practice of medicine, he settled at Weymouth. He afterwards became pastor of the Old South Church, in Boston, in which position he died, October 15, 1678. President Stiles speaks of him as the best Arabic scholar in the country, and states that he composed a Hebrew lexicon. Dr. Mather says further, that he was a great logician. Uniting the profession of medicine with the ecclesiastical, he put forth the first medical work that was published in America. He left two sons: Peter, born July 18, 1651, graduated at Harvard College in 1671, and settled at Milton, where he was ordained in 1681, and died in 1727; and Ralph, who settled in the ministry at Martha's Vineyard. From these two descended a numerous progeny, not a few of whom have been honored in the ministry in successive generations. Of this branch of the Thacher family was Oxenbridge, who died in 1772, aged 94; and Oxenbridge, the compeer of Adams, Quincy, Otis, and others, in revolutionary times. The Thachers who first came over were of the Sussex branch. Anthony had left England before 1610 and was then resident in Holland. His brother Thomas's will, 1611, names him as being "in the separation," and directs that "if he shall join in the profession of true religion with any true church there,"—that is, in Holland,—then his executors, "within one year after he shall have so joined himself, either with the Reformed Dutch in the country where he dwells, or shall return to England, shall pay him, the said brother, five pounds, in token of brotherly affection." His brother Clement, of Somerset, yeoman, in his will, January 13, 1639, represents his brother Anthony as "now beyond the seas," and leaves him a legacy. The death of his brother, "Rev. Peter Thacher, rector, St. Edmonds, Salisbury," was recorded February 19, 1640, and on an old tombstone may be still seen inscribed, "Here lyeth the body of Mr. Peter Thacher, who was a laborious minister of the gospel of Jesus Christ, to the people of St. Edmonds, by the space of xix. years,—who departed this life on the Lord's-day night, being the 21st day of February, 1640." He gave, in his will, to his "two sons, Peter and

and Mr. John Crowe, committees of the said place, to make an equal division of the planting land now to be divided at the first division there, to each man according to his estate and quality, and according to their instructions; and that Joshua Pratt, of Plymouth, and

Thomas, thirty-five pounds, which was sent over to New England to buy goats," and which was placed in the hands of his brother Anthony; he also gave to them "twenty pounds due for the keeping of the said brother's child;" and forty-five pounds, in the hands of his brother-in-law Christopher Batts who married a sister, Anne. Further, he gave to his son Thomas a large library of theological works, a long list of which was appended to the will. In the account which Anthony himself gave of his terrible shipwreck is the incidental mention of four children only: "My daughter Mary, the eldest, severed from me on the rock, sitting at my feet; in the pinnacle, my little babe—ah, poor Peter!—sitting in his sister Edith's arms, who to the uttermost of her power sheltered him from the waters; my poor William standing close unto them,—all three of them looking ruefully on me—poor, silent lambs!—their countenances pleading pity and help at my hands." But the record in England shows that there were nine by his first marriage. The register, however, contains the mention of deaths of numerous children of the Thacher family, and it may be presumed that the other five died in England. Mr. Thacher was, for a short period after this disaster, in Marshfield; and "the court, in consideration of his losses, granted him twenty-six pounds, thirteen shillings, and fourpence." Divers good people also "administered to his necessities." In 1639, as we have seen, he was one of the three grantees at Yarmouth; and from 1643 was eleven years a deputy. Pious and exemplary, useful and honored, he went down to his grave in 1667, at the age of fourscore years. All that we know of the names of his children is, that Mary, Edith, William, and Peter were of the first marriage, and were lost at Thacher's Island. By his second marriage, with Elizabeth Jones, about six months before leaving England, he had John, born at Marblehead, March 17, 1639; Judah, born in Yarmouth; and Bethia, who married Jabez Howland, and removed to Bristol, Rhode Island. The numerous posterity of these we shall have occasion to notice in the further progress of our work.

Mr. John Vincent, of Sandwich, shall view the land there, and make report to the court."

May 6, "It is ordered that, if Mr. Callecutt do come in his own person to inhabit at Mattacheese before the General Court in June next, the grant shall remain firm unto them; but if he fail to come within the time fixed, that then their grant be made void, and the land be otherwise disposed of." Also, "that the portion of land granted to Mr. Andrew Hellot,¹ at Mattacheesett, shall be and remain unto him, and that those that are appointed to set forth the bounds between Mattacheese and Mattacheesett shall lay forth the said portion unto him in a convenient place there." Subsequently, Mr. Hallett's grant of land (lot of two hundred acres) was confirmed and bounded; and it was then ordered that "it shall not be lawful for any man dwelling in Yarmouth to purchase two house lots or more lying together, and maintain but one house upon them."

The committees of Sandwich "were complained of," September 3, for receiving into the town "persons unfit for church society;" were summoned to answer, and "forbidden to dispose of any more land;" and at a meeting at Sandwich, October 3, Mr. Thomas Prince and Captain Standish having been appointed by the government "to hear and determine all differences and controversies amongst the committees and the inhabitants," Joseph Winsor was *ejected*. The neck of land called Moonuscaulton, being fit for the young cattle, was reserved, by general consent, for that purpose. "Shaume Neck, lying betwixt the Rivers Shaume and

¹ Hallett.

Manuscussett, was also reserved for a common, the wood thereon to be free to all, without waste or spoil." And, to prevent the recurrence of the admission of such as are "not fit for church society," it was ordered, that "none shall be received without the consent of Mr. Leverich and the church."

Under the same date, the following also appears: "Whereas, by complaint, it is very probable that divers of the committees of Sandwich have not faithfully discharged that trust reposed in them, by receiving into the said town divers persons unfit for church society, which should have been their chief care in the first place, and have disposed the greatest part of the lands there already, and to very few that are in church society or fit for the same, so that without speedy remedy our chiefest end will be utterly frustrate,—these are to require such of the committees as are herein faulty, to appear at the next Court of Assistants, to answer the complaint, and in the mean time not to dispose of any more lands there without further order from the court, nor make sale nor convey any of their lands they have assumed to themselves to any person."

Again, we find the proceedings just narrated recorded more *in extenso*: "At a meeting at Sandwich, the 3d of October, 1639, wherein Mr. Thos. Prince and Captain Standish were appointed by the government to hear and determine all differences and controversies amongst the committees and inhabitants of the said town of Sandwich," Joseph Winsor's purchase (made of Thomas Shillingsworth, and which was Thomas Hampton's, deceased) was made void, the town being required to take the land, and pay Winsor its worth. The following additional record is made: "Forasmuch as

the neck of land called Moonuscaulton is by all or most part of the inhabitants adjudged to be fit for breeding up young cattle, it is concluded and agreed upon, by the general consent of the inhabitants of Sandwich, that the said neck of land called Moonuscaulton shall be reserved to the town as a common, for the breeding of their young cattle, and not to be appropriated to any man's particular, without consent of the whole town and approbation of the government; save that the wood thereupon shall be free for all to take of, provided it be without waste and spoil thereof. The like is concluded and agreed upon for the other neck of land called Shaume Neck lying betwixt the Rivers of Shaume and Manuscussett, to be reserved for a common for the town, and not to be appropriated to any man's particular without consent of the whole town and approbation of the government; save that the wood thereupon shall be free for all to take thereof, provided it be without waste and spoil thereof. It is also concluded and agreed upon, both by the committees and other the inhabitants of Sandwich, that for the redressing of the negligence of the committees in receiving into the town many inhabitants that are not fit for church society, and for preventing of like evil for ensuing time, it is ordered, that none hereafter shall be admitted into the town, or have lands assigned them by the committees, without consent and approbation of Mr. Leverich and the church first had and obtained. And likewise that such of the now inhabitants as are disposed to sell their estate and depart the town, they shall not sell their labors to any person except he be generally approved of by the whole town. And lastly, for the preventing of dangers, evils, and discords, that may happen in the disposal of lands, or other occasions,

within the town, it is concluded and agreed upon, that the town shall from time to time make choice of some one of the assistants, and at present of Mr. Thomas Prince, to be joined with the committees, to whom from time to time they shall have recourse to advise with and receive directions from, in all such occasions as hereafter shall be needful."

The same year, October 7, "a pair of stocks and a pound" were ordered by the court, to be erected in the town of Yarmouth. Under the same date, the Rev. Mr. Matthews, the minister at Yarmouth, appears to be involved in some trouble, as is inferred from the following: "Edward Morrell, being sworn, deposeth and saith, that William Chase (at his return home from the court, when Mr. Matthews and he were here together) did report that Mr. Matthews had nothing to say for himself, and that he marvelled how any durst join with him in the *fast*; and further said, that some being then in presence with the magistrates, did hold up his hand, and cried, 'Fie, fie! for shame!'"

As might be expected, complaints were occasionally heard of the alleged unequal or partial divisions of lands in the several towns. The fact is, the new comers and old settlers were not always perfectly homogeneous. In those settlements where the strictest regard was *had* to the rigid rules of government, in respect to the discouragement of such as were not deemed "fit for church society," the action of the committees was generally *satisfactory* to the dominant power; but this power, ever watchful and jealous of any apparent dereliction in this matter, sometimes felt that there was occasion to find fault with the laxity

of some of the committees in other settlements. Even where the greatest caution was observed, difficulties would arise. Mr. Thacher, Mr. Crow, and Mr. Howes, the committee for Yarmouth, being complained of to the court, in 1640, for unequal divisions of lands, their adherence to the views of government being more rigid *their* doings were *approved* by the court; and to guard the more effectually against such *complaints* in future, it was ordered, that "no more inhabitants shall be received without a certificate from the places whence they come, signed by approved men." Cases occurred in some of the towns, where it was judged expedient to void the allotment of lands to individuals, refund the payments made by them, and order them to depart out of the colony. In 1638, Henry Ewer and wife were ordered by the court to depart from Sandwich, and Mr. Skiff, who had encouraged their coming, was required to send them back to the place from whence they were brought, or by neglect to incur the displeasure of the government. Ewer seems to have contrived, however, in some way, to become an inhabitant notwithstanding; and his descendants have been numerous and respectable.¹

¹ How far the doings in the early times of the settlement of the colonies have furnished a precedent for the course of "Judge Lynch," in the later settlements upon the frontiers, may be a question. It is *as* certain that, without legal authority from the parent government, severe regulations, deemed wholesome and necessary, were made and enforced then, as that similar regulations have been made and enforced, under *like* circumstances, of late years, in many settlements of our new states and territories.



YARMOUTH.

CHATHAM.

MONUMENTS OF THE SEARS FAMILY.
IN THE
GRAVEYARDS OF YARMOUTH AND CHATHAM.



CHAPTER IX.

Patent surrendered and Charters granted. — Court instituted. — Laws, Vindication of the Clergy, and Lands granted. — Narragansetts. — The Ministry. — An Abandonment of Plymouth and Removal to Nauset contemplated. — Lands bounded. — Differences adjusted. — Confederation. — Nauset settled. — Laws enforced.

IN 1640, Mr. William Bradford was again governor, and Mr. Edmund Freeman, Sen., of Sandwich, was elected an assistant.

The patent which had been taken in the name of William Bradford having been surrendered to the body of freemen, and charters having in consequence been issued to the several towns, "the purchasers and old comers" obtained, March 2, the grant of "a tract extending from the bounds of Yarmouth three miles eastward of Namskeket, and across the neck from sea to sea." "The purchasers and old comers," it may here be noted, were distinguished from other freemen and inhabitants. The Leyden Company, before they left Holland, had formed a partnership in trade with certain London merchants, commonly called "*merchant adventurers*." The connection was to last seven years, at the end of which time all the common property was to be divided. In 1626, the Plymouth Colony having bought out the interest of the adventurers, by an agreement to pay eighteen hundred pounds, soon after hired to Governor Bradford and his associates the trade of the colony for six years, Bradford and associates undertaking to pay the eighteen

hundred pounds to the adventurers, and in addition, the other debts of the colony, amounting to twenty-six hundred pounds more; also becoming obligated to the colony to import yearly to the value of fifty pounds in hoes and shoes, and to sell Indian corn at six shillings per bushel. Those who took this contract from the colony were therefore called *purchasers*. The *old comers* were certain of the colonists that came over in the three vessels first arriving—the Mayflower, the Fortune, and the Anne.¹ The surrender of the patent to the whole company, and the issuing of charters to the towns, gave a new feature to society, and a fresh impulse.²

The aforesaid grant of land was not confined to the Cape; Governor Bradford had “reserved three tracts for” the purchasers or old comers, when he surrendered the patent; that on the Cape compre-

¹ Among the purchasers were Thomas Prince, John Jenny, Anthony Annable, Samuel Fuller, Francis Cooke, William Bassett, William Palmer, Edward Bangs, William Wright, John Beauchamp, and others. The last named was never in this country, but united with Bradford and others in the purchase, and Mr. Edmund Freeman of Sandwich acted as his agent. Indeed, the *first* purchasers were in number only eight. The others who became interested were *old comers*, and hence the expression “purchasers and old comers.”

² “1640, December 1. Whereas, by the act of the General Court, March 3, it was agreed that the purchasers or old comers should make choice of two or three plantations for themselves, now the said purchasers or old comers, to signify to the court that accordingly they have chosen, (as one,) ‘From the bounds of Yarmouth, three miles to the eastward of Naemskeckett, and from sea to sea across the neck of land,’ —the which choice (with two other parcels) being made as aforesaid, and allowed in court,—Mr. William Bradford, for himself and associates, doth tender a surrender to the body of freemen of all the rest of the lands within the patent, which are not granted to planters in general or persons in particular.”

hended the ancient Eastham, with what was afterwards Orleans and Brewster; and the grantees were increased to fifty in number.

Mr. Edmund Freeman, of Sandwich, assistant, with Mr. Thomas Dimoc, of Barnstable, and Mr. John Crow, of Yarmouth, as associates, were appointed by the Colony Court to hear and determine all causes and controversies within the three townships now existing on the Cape, not exceeding twenty shillings.

It was this year ordered by the court, "that profane swearing should be punished by setting in the stocks three hours, or by imprisonment;" also, "that for telling lies, a fine of ten shillings should be imposed for each and every offence, or setting in the stocks two hours." An act was passed to "prevent idleness and other evils." The grand jurors in each town were authorized "to take special view and notice all persons, married or single, that have small means to maintain themselves, and are supposed to live idly and loosely, and require an account of them how they live; and finding any delinquent, were to order a constable to carry them before a magistrate, or the selectmen, to deal with them as they see fit." Such a law appears to us at the present day both inquisitorial and dictatorial, and calculated to convulse society, and lead to resistance. The military companies were to be trained six times a year. Stealing or attempting to steal ships' boats, ammunition, &c., was made felony, and so to be punished. Laws for the observance of the Sabbath were to be enforced on the Indians, who certainly could not be expected to have much veneration for the day. The policy may well be questioned.

The immunities of the regular ministry were pre-

served with great care. Disaffections towards the persons or teachings of the clergy were sometimes exhibited, but were as often dealt with in a very summary manner. William Chase, of Yarmouth, charged with "miscarriages against Mr. Matthews, tending to the disturbance of the proceedings of the church, court, and country," was severely censured, and laid under bonds, he "promising to leave the place in six months."

At the Court of Assistants held the 3d of June, the following entry was ordered: "Memorand. That John Kerman, of Sandwich, is granted one messuage, or dwelling house, in Sandwich aforesaid, and fifteen acres of upland, be it more or less, adjoining thereunto, abutting upon the meadows of Moonuscussett; sixteen acres of marsh meadow ground, be it more or less, with two little islands of upland therein, (except the said island of upland,) lying before the said town of Sandwich eastward, and facing the river that comes to the said town, the said John Kerman allowing a way for carriages by water only; eight acres of marsh meadow, be it more or less, lying at the upper end of the backside of the said town's neck from the swamp towards the beach at the east end, and towards Richard Chadwell's meadow at the west end; ten acres of upland, be it more or less, lying at Moonuscaulton, and adjoining to the lands of Mr. Edmund Freeman; and four-score and ten acres lying at the plains and abutting upon the lands of Mr. Thomas Dexter and Mr. Edward Dillingham, southerly from them, with all and singular the appurtenances to the said premises belonging and in any wise appertaining and part or parcel thereof; to have and to hold the said messuage, or dwelling house, fifteen acres of upland, fifteen acres of marsh meadow,

(except the two islands of upland therein before excepted,) and eight acres of marsh meadow, ten acres of upland at Moonuscaulton, and the said fourscore and ten acres of upland lying at the plains, with all and singular their appurtenances and every part and parcel thereof, except before excepted, unto the said John Kerman, his heirs and assignees forever, to the only proper use and behoof of him, the said John Kerman, his heirs and assignees forever."

In 1641, Mr. Bradford was reëlected governor, and Mr. Edmund Freeman assistant.

Some progress in maritime affairs is noticed at this time: a bark of about fifty tons was built in Plymouth, costing two hundred pounds, contributed in shares by thirteen persons; and it has been claimed that this was the "*first vessel of magnitude*" built in the colony. Having no data by which we can judge in this matter, we give the fact as it has been stated of late years, without being able to endorse fully the "*doubtless*" which accompanies the issue of the conjecture. The vessel built at Manomet in 1627 was probably smaller.¹

As the Cape has been much interested in the manufacture of *salt*, and has generally been supposed, not without good reason, to have taken the precedence in this manufacture, (certainly so far as the making of it by solar evaporation is the agent,) it may be mentioned that "this year Mr. John Jenny was allowed certain privileges at Clark's Island, to make salt;" but by what process, or with what success, is not stated.

There were about this time "some apprehensions of

¹ According to Hakluyt, a pinnacle of fifty tons was built on the Kennebec as early as 1606.

hostile movements on the part of the Narragansetts; and in Plymouth twelve persons were enjoined to bring their muskets, with shot and powder, every Lord's day, to the meeting, with their sword, and furniture to every piece, ready for service if need should require."¹

Mr. Secretary Morton has said, in reference to the three years last past, that "the Lord was pleased to accomplish and adorn the colony with numbers of godly and able gospel preachers, who, being dispersed and disposed of to the several churches and congregations, gave light in a glorious and resplendent manner, as burning and shining lights." He mentions, among others, Mr. JOHN LAYTHROPE,² Mr. JOHN MAYO, Mr. WILLIAM

¹ We may sometimes be disposed to smile at the warlike preparations of those days; but it must be remembered that crossbows had scarcely gone out of use in war even in Old England, and the fire-arms were generally matchlocks.

² We would here say, that we have thought proper to adopt the orthography of surnames as practised generally at the time. The changes which occurred subsequently in writing the same names have also been followed. In some instances, these changes have eventuated in names somewhat dissimilar from the original, and in other instances, families, whose surname was of the same common origin, have come to be called by names quite diverse. Witness Burge, Borgis, Borges and Burgess; Ney, Noye, Nie, Nye and Noyes; Black, Blackman, Blackwell, &c.; Dimoc, Dymoke, Dimmack and Dimmick; Sayre, Sayer and Sears; Oates and Otis; Hawkseye, Hoxie, &c., &c. It would be interesting to know the actual original of all surnames, for very important reasons connected with family genealogy. Surnames, at first, Mons. Boileau is of opinion, "were the epithets of great men only, and repeated as such." Shakspeare intimates the same:—

"Witness may

My *surname* Coriolanus: the painful service,
The extreme dangers, and the drops of blood
Shed for my thankless country, are required
But with that *surname*."

Surnames were not permanent in English families as hereditary titles

LEVERICH, Mr. JOHN MILLER, and Mr. MARMADUKE MATTHEWS, all of whom were for some time on the Cape.¹

The first general assessment mentioned is that for the payment to the clerk and messenger of the Gen-

until about the time of the conquest, in 1066, and were not in universal use until nearly a century after. Their origin was fourfold: First, by adding the word *son* to the name of the father; as, for instance, John, Richard's son, which came at length to be written Richardson. Second, they were taken from a man's trade or occupation; and hence the name of Smith, Baker, Tailor, Fuller, &c., furnishing innumerable hereditary titles. Third, the name was taken from some peculiar trait, quality, &c., of the individual; as, for instance, Edmund, one of the Saxon kings, was called Ironsides, for his bravery and impunity from the penetrating arrow; so John, whose complexion was dark, came to be called John Black, and Henry, the strong, Henry Strong. Fourth, from localities; as John, on the hill, John Hill; John, who lived near the brook, John Brooks, &c. These names, in their onward course, undergo various changes. In these remarks touching the origin of names, and in the suggestion that it would be interesting to know the actual origin of all surnames, we are influenced by no ridiculous veneration for heraldic pretensions, or the titles of nobility. It is sufficient for us that the fact is well established, that the early settlers of these parts were generally descended from the landed gentry or yeomanry of England. Says Burke, in his elaborate Dictionary, vol. i., preface, "These comprise that class in society which holds the next place to the privileged order—the untitled country gentlemen; a class, be it remembered, not a degree below the other in antiquity of descent, personal accomplishments, and rational usefulness. Nay, the chiefs of the houses from which the nobility spring are generally to be found in this division of the aristocracy; and for the simple reason that, the eldest son and heir being already provided for, the field of adventure belongs exclusively to the junior members of the family, who, being thus forced upon the arena, achieve, by their prowess or their talents, fame, wealth, and eminence."

¹ Mr. Lathrop, as has been seen, was early at Barnstable. Mr. Mayo was associated with Mr. Lathrop in his labors in 1644, as a teacher, and was afterwards in Eastham, and died in Yarmouth. Mr. Leveridge was early in Sandwich—the first minister. And Mr. Miller and Mr. Matthews were both ministers of Yarmouth.

eral Court this year, June 1, twenty-five pounds, which, as it may be supposed to exhibit the comparative ability of the several townships, may be presented, as follows:—

Plymouth	£5.	Taunton	£2 10.
Duxbury	3 10.	Barnstable	2 10.
Scituate	4.	Yarmouth	2 10.
Sandwich	3.	Rexhame (Marshfield) 2.	

At a court held at Yarmouth, June 17, before Mr. Edward Winslow, Captain Miles Standish, and Mr. Edmund Freeman, three assistants, by virtue of an order of the General Court appointed to settle the bounds of Yarmouth and Barnstable and to hear and determine all causes and controversies amongst the inhabitants of Yarmouth, Barnstable, and Sandwich, which might come before them; in addition to the adjustment of many other differences, it was “ordered by them, that Mr. Andrew Hellott shall pay Massatumpaine one fathom of beads within two moons, besides the net he allegeth the said Massatumpaine sold him, for the deer that Mr. Hellott’s son bought of Massatumpaine about two years since.” It was also “ordered, that Walter Devile shall pay two shillings to Massatumpaine for mending the hole in his kettle which the said Devile shot with his gun—to be paid within one moon next ensuing.” It was further “ordered, that all lands hereafter laid out and assigned in the town of Yarmouth shall be designated by lot, and that Captain Standish shall be joined to the committee of the town, and no

It has been said that nearly all the ministers in the two colonies had been connected with the “Established Church” of England, were graduates of the English universities, and numbers of them were fine classical scholars—some “unrivalled.”

lands be granted without his consent." Also, that "the bounds of Yarmouth on the easterly side are from the town to a certain brook called by the Indians Shuckquam, but by the English Bound Brook, and all that neck of land northward called by the Indians Atquiody, alias Aquiat, with all the upland and marsh meadow which lie on the westerly side of said brook, to the townwards unto the mouth of said brook; and from a marked tree at the path on the said brook by a straight line south and by east to the South Sea, so it extend not in length above eight miles, excepting and reserving unto Massatumpaine, the sachem, the lands from Nobscusset pan westerly, from a marked tree there unto another marked tree at a swamp extending westerly; and from thence to another marked tree northerly by a straight line to the sea; and from the northerly end of the said Nobscusset pan to the sea by a line from the westerly side of said pan." Further, "The bounds betwixt Yarmouth and Barnstable are as followeth, viz.: the River of Stony Cove shall be the bounds from the sea as far as it runneth to the landwards, and from thence from the upward part thereof to begin at the easterly side of the lot of Andrew Hellott, at a known marked tree, by the highway leading betwixt Barnstable and Yarmouth aforesaid, and from the easterly side of the upward part of the said lot to run upon the south-south-west point of the compass to the South Sea; provided always that the meadow land that was allotted and appointed to the said Mr. Hellott's farm be still reserved unto the said farm, according to the former intent and grant thereof; excepting and reserving unto Nepaiton and Twacomacus, and their heirs and assignees, if they shall dwell upon it, all that parcel of plain land bordering to the

seawards from a pond to a tree by the wood side, marked by Mr. Winslow, Captain Standish, and Mr. Freeman, and from thence easterly by the wood side to another marked tree, and from thence northerly to the sea, provided that if the said Nepaiton shall at any time sell the same, he shall sell it to the inhabitants of Barnstable before any other."

"The agreement between Nepaiton¹ and Twacommacus² and their heirs and the inhabitants of Barnstable," also appears, as follows:—

"In consideration besides what the said Nepaiton hath had already of the said inhabitants of Barnstable, that they shall build the said Nepaiton one dwelling house, with a chamber floored with boards, with a chimney and an oven therein, the said Nepaiton hath given and granted unto the said inhabitants of Barnstable all the rest of his lands lying about Barnstable aforesaid, which were his and his own proper inheritance, excepting and reserving unto the said Nepaiton and Twacommacus, and their heirs and assignees forever, if they shall dwell upon it, all that parcel of plain lands bordering upon the sea, from a pond to a tree by the wood side marked by Mr. Winslow, Captain Standish, and Mr. Freeman, and from thence easterly, by the wood side, to another marked tree, and from thence northerly to the sea; provided always that, if the said Nepaiton shall at any time sell the said lands, he shall sell them to the inhabitants of Barnstable before any other, and shall from time to time give leave for a draught to come through his ground when they shall desire it; and lastly, that they shall have liberty to get

¹ In the Barnstable records, it is written Nepoyetum. We follow the colonial records.

² In other places, Tauonius.

wood for fencing and fire out of the woods there, and enjoy and reap the corn this year which they have set out of the foresaid bounds,—and in winter to live where he pleaseth.”

September 7, it was ordered by the General Court, “that Mr. Edmund Freeman, one of the assistants, shall, at the next court holden towards Yarmouth and Barnstable, inflict such punishment upon Mr. Crow’s maid servant for pilfering goods in his house, as according to her fault shall be just and equal.”

The following also appears:—

“Division of meadows in Sandwich. At a general meeting of the townsmen of Sandwich, held the 16th day of April, in the sixteenth year of the reign of our sovereign lord, Charles, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, &c., Thomas Prince, gentleman, one of the assistants of the government of New Plymouth, by virtue of a commission to him and John Alden, gentleman, or either of them, directed, for the calling before them, or either of them, the said inhabitants of Sandwich, to hear and determine all causes of difference and controversy now depending amongst them, in general, or betwixt particular persons in division of uplands and meadow; or betwixt them and the Indians; and to set down some orders concerning the division of said meadow lands, that the premises which are agreed upon may be committed to public record, and so remain inviolable, which is as followeth:—

“Imprimis, for deciding the differences about the meadow grounds, and to make an equal division thereof, is agreed upon, by the consent both of the committees and the townsmen of Sandwich, that, together with Mr. Prince, there shall be five of the committees, viz., Mr.

Edmund Freeman, Mr. Henry Feake, Mr. Edward Dillingham, Richard Chadwell, and John Carman, and five of the townsmen be joined with them, viz., Mr. John Vincent, Richard Bourne, George Allen, Robert Bodfish, and Joseph Holway, to view and appoint the said meadow lands, and to consider well the estate and quality of every person, as also the quality and condition of the meadows, and to appoint to every man such a portion as shall be esteemed equal and suitable to his necessity and ability; and that in the division of the said meadow lands these rules and orders shall be observed:—

“First, That those that have meadow allotted to them in the meadow between Moonnoonnensusset and Shaume shall only have such portions there assigned them as in the judgment of the foresaid ten men appointed shall be thought meet, and that further accommodation be added elsewhere as there shall be cause and their necessity and condition shall require.

“2. That for the rest of the meadows, which shall be laid forth by the aforesaid ten men appointed, to every man according to each man’s estate and condition, reserving such a portion as in the judgment of the said ten men shall be thought fit.

“3. That the said ten men having appointed the persons and places, then Joshua Pratt, of Plymouth, shall measure forth to every man the portion he shall be appointed.

“4. That such a portion of meadow lands as shall be thought fit by the ten men abovesaid to be left and reserved be not disposed of until the committees be satisfied their charges disbursed for the town, which, if it shall be done before the next mowing time, that then the said portion of meadow so reserved shall be to the

town, to be decided according to each man's condition and quality; but if the committees be not satisfied their said charges before that time, that then the committees have the use of said meadow lands to cut the grass thereof.

"5. That there be sixty or eighty acres of meadow lands reserved according to the former order, on this side Moonenoonuscaulton River or thereabout.

"6. That if any man desire to hold the meadow lands assigned him, (being not in the meadows between Moonoonnenucusset and Shaume,) he may.

"7. That all such portions of meadow lands as shall be assigned to every person in particular shall be to have and to hold to them, their heirs and assignees, forever.

"It is also agreed upon, lastly, that those that had meadow lands formerly assigned them in the meadow lands between Moonoonnenucusset and Shaume shall only have the one half of those portions which they had there, and the rest of their portions to be laid forth elsewhere, save that they shall have the whole odd acre there, if it fall so to be in such said division.

"That sixpence an acre be allowed for the surveying, measuring, and laying forth the said meadow lands, to them that are appointed to survey, measure, and lay forth the same, they paying Joshua's charges.

"The names of persons to whom the division of meadow lands is made:—

Richard Chadwell	Acres, 15
John Carman	28
Peter Gaunt	04
William Hurst	03
Richard Kerby	04
John Dingley	05½

Thomas Burgess	07½
John Briggs	07½
Benjamin Noy	^
Mr. Henry Feake	20
Thomas Tupper	06½
Thomas Armitage	06½
Mr. John Vincent	07
Robert Bodfish	05
Mr. Leverich, } The Pastor, }	the same he had 05
Mr. Edmund Freeman	42
Mr. Almey	08½
Mr. Wood	08
Joseph Winsor	01
Mr. Willis	04
Anthony Bessy	01
Micheal Turner	03
Mr. Edge	14
George Knott	04
Mr. Potter	10
John Frend	^
George Allen	06½
Joseph Halloway	15
William Newland, to be added to	06
Andrew Hellot	07½
George Slawson	02
William Braybrooke	01
George Bliss	01½
George Buitt	01
George Cole, i. e., to be considered further when he brings his estate	01
Henry Eue	01
Johnathan Fish	02
Edmond Clarke	02

Thomas Shillingsworth	02½
William Harlow	04
James Skiffe	04
Mr. Dillingham	08
John Winge	06
Mr. Thomas Dexter, if he come to live here .	26
For his mill	06
Mr. Wolleston, if he reside here and bring his estate	13
Thomas Butler	02
Nicholas Wright	02½
John Miller	01
Thomas Launder	01
John Fish	01½
Nathaniel Fish	01½
Thomas Boardman	03
Peter Wright	02½
Anthony Wright	02
Richard Bourne	07
Richard Wade	03
John Joyce	02½
Mr. Blakemore	03
To Mr. Feak's house	01

Subscribed by Tho. Prince,
 Ed. Freeman,
 Edw. Dillingham,
 John Carman,
 Richard Chadwell,
 John Vincent,
 George Allen,
 Richard Bourne,
 Joseph Halloway,
 Robert Bodfish,
 Henry Feake."

"It is also ordered and concluded," in General Court, "that the inhabitants of the town of Yarmouth shall presently meet together, and make a rate for defraying the public charges which have been laid forth by any person or persons for the good of the whole ; and that in the committee-charges which Wm. Chase, Thos. Howes, and Joshua Barnes were sent as a committee of the town, they are to be exempted out of the rates, viz., Mr. Matthews, Wm. Palmer, Jas. Payne, Ant. Thacher, Thos. Holland, Crannett White, and Thos. Starr." We cannot assume the responsibility of undertaking to make this record more intelligible, and therefore present it *verbatim*.

In 1642, Governor Bradford was again reëlected, and Mr. Freeman assistant for the third time.¹

The settlers at Plymouth having now become dissatisfied with their present situation, a removal of the whole body to Nauset (afterwards Eastham) was seriously contemplated. It may seem to us, at this day, a singular conceit, that, when the first settlers at Plymouth found they "had pitched upon a spot whose soil was poor and barren," they should have directed their attention to this part of the country to find better situations ; but on different parts of the Cape were intervals of rich alluvial deposits that were highly productive. These were to be seen by the traveller, in passing down

¹ Mr. William Thomas was also elected an assistant this year, but ceased to be an inhabitant of the Cape. The year previous, 1641, he was a deputy from Barnstable. Marshfield now became his residence. He was a prominent English merchant, and one of the adventurers. His son Nathaniel served in Philip's war in prominent position ; and from him descended General John Thomas, who commanded the American forces at Roxbury, in the revolutionary war, and afterwards in Canada.

the Cape, on its northern shore, in Sandwich, Barnstable, Yarmouth, and in what are afterwards Dennis, Brewster, and Orleans; and for Indian corn and wheat, Eastham was noted as the land of plenty. These fertile spots were, indeed, like oases in the desert, but constituted some of the best soil in the colony.

Hostile intentions on the part of the Indians being thought to exist, thirty men were raised by the colony for an expedition against them; Sandwich and Barnstable were required to furnish three each, and Yarmouth two. The laws designed to prevent the Indians being used to firearms were judged highly prudential, and numbers of persons were complained of about this time for a constructive violation of the same. Among these were the assistant, Mr. Edmund Freeman, for lending a gun to an Indian; also Nicholas Simpkins, of Yarmouth, and John Wing, of Sandwich.

The early settlers were certainly a very moral people in general; and yet, so exact were the laws, and the interpretation and enforcement of them, that cases sometimes occurred that excite surprise. These cases, originating in all parts of the colony, are set forth in the court record on this wise: A. F., "for having a child born six weeks before the ordinary time of women after marriage, fined for uncleanness, and whipt, and his wife set in the stocks." C. E., "for abusing himself with his wife before marriage, sentenced to be whipt publicly at the post, she to stand by whilst the execution is performed. Done, and he fined five pounds for the trouble." D. B., "to be whipt, and his wife set in the stocks, for uncleanness before marriage." Some quite prominent citizens were thus involved, and for

years a very strict surveillance was kept over such offences; nor does there appear to have been any partiality exercised on account of character or position. We regret being obliged to add that some instances of a more aggravated nature are found, generally denominated "lascivious and unclean carriages," which were dealt with more severely — by heavy fines and whipping, the female being obliged to wear for months a badge marked with letters indicating the offence, with a provision of court that if, before the expiration of the time, she should lay aside the badge, she should be again arrested, and the letters "burned in her face."¹

June 7, Mr. Hatherly, Mr. Freeman, and Captain Standish, were "requested to view the land which Barnstable men desire, and to set it forth for them, so that they do not intrench on either plantations, &c., and to see that there be a convenient farm and meadowing to it reserved for public use." The General Court, it must be confessed, were very prompt in providing all necessary laws and regulations, and in sustaining the same, whether general or municipal. The town of Yarmouth was thus early presented "for not having a pound."

¹ The legislation of a country is generally supposed to indicate the evils that prevail in its borders, and at the same time the standard of public sentiment. So of convictions, fines, and other punishments. The minutest events are often interesting as criteria of the development of mind and morals, and as discovering the progress of communities in freedom and improvement. If the jurisprudence of the colony is an index to the principles and policy of its leaders, it must be borne in mind that religion was intended to be the basis of both civil and ecclesiastical government. A rigid morality was the end desired. The reader may reprehend the means sometimes employed to effect this, but will, we doubt not, be charitably candid in regard to the motive.

September 27, the General Court having adjudged it necessary for the safety of the colony "to provide forces, on account of the Indians, for offensive and defensive war," and the court having been "hastily called together in consequence of intelligence of a conspiracy," Mr. Edward Dillingham and Richard Chadwell were present from Sandwich, Anthony Annable and John Cooper from Barnstable, and William Palmer from Yarmouth. Miles Standish was appointed captain, William Palmer lieutenant, Peregrine White ensign; and Mr. Edmund Freeman, Mr. Anthony Thacher, and Mr. Thomas Dimoc, were appointed of the council of war.

Again, in 1643 Mr. Bradford and Mr. Freeman were reëlected to their respective offices. Mr. William Brewster, the ruling elder in the church at Plymouth, in honor to the memory of whom a town in this county was named in 1801, died this year, April 16, about fourscore and four years of age. He was father-in-law to Governor Prince.

Articles of confederation between New England colonies at this time mark a memorable epoch in our history. This confederacy was designed to promote union and to secure concert of action, offensive and defensive, in all difficulties, whether with the Indians, Dutch, Swiss, or French. The compact did not embrace all of New England, however. Massachusetts, which was begun at Naumkeag (Salem) in 1628 by adventurers under Endicott, and at Shawmut (Boston) in 1630 under Winthrop; Connecticut, settlements in which were begun in 1635 at Windsor and Wethersfield by a company of about sixty persons from Massachusetts; and the colony of New Haven begun by Davenport,

Eaton and others in 1638, were included with the Plymouth Colony in this league. But New Hampshire begun at Dover and Portsmouth in 1623 by Mason and Gorges; and Rhode Island begun in 1636 by Roger Williams at Providence, were not included. The views of these latter colonies did not, in many things, coincide with those of the other settlements.¹

The title of this confederation was, "The United Colonies of New England." The measure had been in agitation several years before it was accomplished; and subsisted, with some changes, until 1686, when the charters of all the colonies were, in effect, vacated by a commission from King James II. Some have supposed that in this confederacy we find the germ of our present national system. This, at least, is certain — that the spirit of the confederation remained long after the league was dissolved. The colonies learned to act together; and when common injuries and common dangers required united action, modes and precedents were at hand. The surrender of criminals escaped from justice, and also of other fugitives including servants, from one jurisdiction into another, was one of the stipulations of the treaty. We suppose that some will contend that this was also the first fugitive slave law.

Orders were given to all the towns to provide ammunition and arms, and to be ready for prompt action in case of any alarm, nearly the same regulations being adopted that have existed twice since, in troublous

¹ The fact is not to be concealed that the confederacy was a league for religion as well as protection; nor could any, according to the preamble to the articles, become members of it unless of the same religious faith. The settlers at Dover and Portsmouth had grievously offended, and those at Providence were heretical.

times (we refer not to troubles with the Indians, but to the war of the revolution and to the war of 1812) in reference to anticipated attacks from a people of kindred origin.

Laws were enacted forbidding Indians to sell, give, or lease their property without the consent of government; also forbidding arms, ammunition, canoes, or horses to be sold to Indians; and thirty men were ordered by the General Court to be raised with a view to an expedition against the natives. The number of men to be raised by each town was, Plymouth seven, Duxbury five, Scituate five, Taunton three, Sandwich three, Barnstable three, Yarmouth two, and Marshfield two. This requisition was made on the basis of the proportion of relative strength.

Wolves making great depredations upon herds and flocks, wolf-traps were ordered by the colony court to be made. It was ordered, that mowers who have taken excessive wages, i. e., three shillings per day, shall be presented. Regulations were also made "for the establishment of military discipline." It was "ordered, that the exercise shall always be begun and ended with prayer; that none shall be admitted but such as are honest and of good report, freemen approved by a major part of the company; and that all elected officers shall be titled and forever after retain the title except as promoted. Liberty was granted to Sandwich, Barnstable, and Yarmouth, to erect military companies under these rules." The thirty men ordered to be raised "were each to be provided with a musket, firelock or matchlock, a pair of bandoliers, or pouches for powder and bullets, a sword and belt, a worm and scourer, a rest and knapsack." When in service, each soldier was to receive eighteen shillings per month,

except "the leader," who was to receive forty shillings. "Provision was also made for Yarmouth and Barnstable appointing a place for the defence of themselves, their wives, and children, in case of sudden assault."

We are left somewhat in the dark in regard to the reasons for much of the ecclesiastical polity and discipline of the times, and can therefore only give facts as found on the record. Mr. Joseph Hull, who was very early at Barnstable, seems to have soon fallen into disfavor with the government, for (besides some incidents mentioned in our annals of Barnstable,) the following appears in the court record, May 7, 1643: "It is ordered, that a warrant shall be directed to the constable at Yarmouth, to apprehend Mr. Joseph Hull, (if he do either exercise the ministry amongst them, or administer the seals,) to bring him before the next magistrate to find sufficient sureties for his appearance at the next General Court, to answer for his doings, being an excommunicant."

In 1644, Mr. Edward Winslow was elected governor, and Mr. Edmund Freeman was continued as assistant. The project of removing the Plymouth settlement to Eastham was revived, and Governor Bradford and others were sent to reconnoitre the premises. They having purchased lands of the sachems of Nauset and Monamoyick, a grant was made to the Plymouth church for the purpose of a new location. It was finally concluded, however, that a part only, and not the whole church, should remove, and in April, the new settlement was commenced by the name of Nauset. Secretary Morton says that "divers of the considerablest of the church and town removed," and "the town of Plymouth was almost deserted." The Cape, therefore, now fur-

nished two of the assistants in the colonial government; Thomas Prince, who, before his removal to Nauset, had twice been governor, being this year assistant, an office which, when not governor, he had held for many years.¹

The retailing of spirituous liquors was early subject to the supervision of the court; and the appointment of suitable men to engage in this business was generally recorded on this wise; "June 5, Mr. Anthony Thacher is licensed to draw wine in Yarmouth, Henry Cobb in Barnstable, and William Newland in Sandwich."

In August, "Mr. Anthony Thacher, Mr. Thomas Howes, and Mr. William Lumpkin, of Yarmouth, were appointed to lay out the farm land granted to Nathaniel Sowther, near Billingsgate."


In 1645, Governor Bradford was again in office; also Mr. Freeman and Mr. Thomas Prince. On account of difficulties between the French and the government of Massachusetts, and also on account of the Indians being charged with breaking their engagements, the commissioners of the United Colonies of New England were called together July 25, before their usual time of meeting. So far as related to the French difficulty, there appeared no cause for other than conciliatory action. In reference to the Indians, a different course seemed to be called for. The state of the case was this: Miantonimo, sachem of the Narragansetts, had, in 1637, made an agreement with the government of Massachusetts not to fight with any

¹ Among the other prominent men who removed from Plymouth to Nauset, were John Doane, one of the deacons of the church, Nicholas Snow, Josiah Cook, Richard Higgins, John Smalley, and Edward Bangs.

Indians without the consent of the colonies, and particularly not to invade Uncas, the Moheagan sachem. Subsequently, in 1635, there was a tripartite agreement made at Hartford, between Miantonimo, Uncas, and the English, in which it was stipulated that those sachems should not make war on each other for any alleged injuries, without an appeal to the English. In the spring of 1643, Uncas conceived that an attempt had been made upon his life by a Pequot, one of his subjects, through the instigation of Miantonimo. In consequence, the two sachems came to open war; and though Miantonimo brought nearly a thousand men into the field, he was defeated by Uncas, and taken prisoner. Uncas then took advice of the commissioners, at their meeting in Boston, in September, 1643, and pursuant to their recommendation, put the royal prisoner to death, or, as Rev. Dr. Increase Mather says, "very fairly cut off his head." The Narragansetts were exasperated, and charged upon both Uncas and the commissioners want of good faith. These animosities were partially composed by the action of the commissioners at Hartford, September, 1644, the Narragansett sachems agreeing that no war should be begun with the Moheagan sachem or his men, until after the next planting time, and that before they commenced hostilities they would give thirty days' notice to the governments of Massachusetts and Connecticut. Hostile movements were alleged to be in preparation, and now caused the meeting of the commissioners of the United Colonies in Boston. It is said that the Narragansetts had declared they would have the head of Uncas; and the commissioners therefore resolved to engage in his defence. It was determined to raise three hundred men, Massachusetts to furnish one hundred and ninety, Plymouth Colony

forty, Connecticut forty, and New Haven thirty. The Plymouth quota of forty men, under Captain Standish, were immediately despatched as far as Rehoboth; but, in the mean time, the Narragansett sachems arrived in Boston, to sue for peace, whilst the whole English force were about advancing. A treaty was signed August 27, between the commissioners on the one part, and Pesacus and Mexanno the eldest sons of Canonicus, Jan-nemo, Wippetmock and others, sagamores of the Narragansetts and Niantics; the Indians being required to pay two thousand fathoms of wampum, by instalments, — a tremendous burden and sacrifice for them; — restore to Uncas his captives and canoes; make satisfaction for having destroyed his corn, &c.; and give hostages for perpetual performance of their engagements.¹

¹ Judge Davis says, "The commissioners commence their declaration of proceedings with a consideration 'that the Lord and Master is King of righteousness and peace; that he gives answerable laws, and casts his subjects into such a mould and frame, that (in their weak measure) they may hold forth their virtues in their cause and carriage, not only with the nations of Europe, but with the barbarous natives of the wilderness.' They proceed to affirm that, accordingly, 'both in their treaties and converse, they have had an awful respect to divine rules, endeavoring to walk uprightly and inoffensively in the midst of many injuries and insolencies, to exercise much patience and long-suffering towards them.' The execution of Miantonimo, while a prisoner," he adds, "excites our sympathy. His character was bold and lofty, and, when compared with that of Uncas, may be said to be prepossessing. If sad necessity required the sacrifice, there seems a revolting obliquity in the manner of its accomplishment. But with the solemn views before us which we have recited, we must not indulge in censure." We wish we could be as charitable in a review of these proceedings. The Plymouth Colony had but little interest at stake in this matter, as the Narragansetts were remote; but, by the terms of the union, they must act when called upon by the confederate colonies, and hence their share in these proceedings, the issue of which is not yet, as any one who follows the history of that war and the fate of the Indians, may see.

In the month of August (the 14th) appears a record of "soldiers sent out against the Narragansetts in the late expedition. From Sandwich were Thomas Burges, Thomas Greenfield, Lawrence Willis, Thomas Johnson, and Robert Allen, out thirteen days. From Barnstable were John Foxwell, John Russell, Jonathan Hatch, and Francis Crocker, fourteen days. And from Yarmouth were William Northcoate, William Twining, Teague Jones, Henry Wheldon, and William Chase, fourteen days. All returned September 2, and were discharged.  There was delivered to each soldier, on going forth, one pound of powder, three pounds of bullets, and one pound of tobacco." "It was ordered by the court, that each sachem shall hereafter keep within his own bounds."

The court granted to Mr. Thomas Starr "fifty acres of upland in Yarmouth, next to Elder Hoar's or Mr. Howe's lands at Seshewit, on which side he will so that it adjoin to one of them, and six acres of meadow lying in Nobscusset meadows, late William Nicholson's, and four acres more of meadow on the south side of the plantation towards the South Sea." Mr. Richard Callicutt's right of lands at Mattacheese was voided by order of court, for the use of the colony.

At this time, strange to say, practices existed in some parts of the colony which made it necessary, in the opinion of the magistrates, to provide a law against "masquerades."

From all the information that can be gathered from the early records of the Cape towns first settled, respecting the previous occupations of the settlers, it is evident that they were generally, nay, almost without exception, agriculturists. Their subsequent avocations upon the seas were the result of the advantages

of their location for fishing and for navigation. These advantages perceived, and no exuberance of soil alluring to their original pursuits in preference, they naturally turned their attention chiefly to those employments that would yield the best reward. Their energy of character would have enabled them to excel in whatever they might undertake ; and once engaging in maritime pursuits, they rapidly progressed to the commanding eminence that they and their successors have so long held.

CHAPTER X.

Customs, Dress, Mode of Living in the early Days of the Colony. — General Simplicity, Industry, and Economy.

BEFORE proceeding farther in our recital of events, it may be interesting to glance at some of the peculiarities of the early days of the colony, as respects the habits and customs of the people, their manner of dress, their mode of living, and the like.

The common address of men and women was Goodman and Goodwife. None but those who belonged to some more than ordinarily distinguished family, or held some office of dignity, were ever complimented with the title of Mr. or Mrs. In this matter, the etiquette was strictly guarded and observed. The distinction between the Roman patricians and plebeians was not of greater importance.

The first settlers wore their beards long; and it has been said that in winter, when exposed, their beards would sometimes be covered with the frosts of a congealed breath, and even freeze so that expectoration, for the time being, was inconvenient, and to drink was difficult. This we can readily conceive. But at a very early period in the history of New England, the habit of long beards declined. Governor Leverett (1673) is the first of any of the governors of New England whose portrait has been handed down to us without a beard. He laid it aside in Cromwell's court.

The wearing of long hair was early prohibited. The sentiment against the practice was very strong in 1649,

and probably then at its height, insomuch that, as the practice was beginning to prevail, an association of distinguished men was thought expedient to annihilate the new custom *in toto*: "Forasmuch as the wearing long hair, after the manner of the Russians and barbarous Indians, has begun to invade New England, contrary to the rule of God's word, and the commendable custom of all the godly, until within this few years, we, the magistrates, who have subscribed this paper, (for the showing of our own innocency in this behalf,) do declare and manifest our dislike and detestation against the wearing of such long hair, as against a thing uncivil and unmanly, whereby men do deform themselves, and offend sober and modest men, and do corrupt good manners." Subsequently, grand jurors were in duty bound, under the laws, to present, and the court to punish, all such offenders.

The passage in Corinthians censuring a practice becoming prevalent in the apostle's days, had much weight; that in Leviticus—"Ye shall not round the corners of your heads"—was out of sight. The rule was, that none must wear their hair below their ears. Thus "have indifferent things," says Hutchinson, "been in every age condemned as sinful, and placed amongst the greatest immoralities."¹

¹ We are apt to look upon a new fashion as an innovation—something that never before existed. Hence, when it had long been fashionable to shave off the beard, one argued, "Adam had no beard until after the fall, the pain of shaving having been inflicted as an hereditary penalty on his posterity, which, in the course of a man's life, shall make up, by daily instalments, the same aggregate quantity of suffering which women undergo in childbirth." In *Don Juan* is the same sentiment.

"Thus, ever since the fall, man, for his sin,
Has had a beard entailed upon his chin."

Tobacco was early prohibited under a penalty, and the smoke of it compared by learned divines to "the smoke of the bottomless pit." But at last some of the clergy and other magnates "fell into the practice of smoking;" and by and by "tobacco was set at liberty."

Periwigs came into use after the restoration in England, but in New England they were "an eyesore for thirty years," and the wearing of them did not generally prevail until about the time of the revolution.

The style of dress, as well as the manner of living, was much more favorable to health than in modern times, and pulmonary affections were much less frequent than now. A young person was rarely visited with consumption. Milliners, mantua-makers, fashionable tailors, &c., were not much in demand. The females generally, whether old or young, it has been said, were content with a homemade flannel gown for

The reasons that have decided the fashion from time to time are as various as the result of the investigation would be curious. Louis XIII. and Louis XIV. of France both came to the throne as minors, and the whole court at once began to shave in compliment to the young princes. The fashion was thus decreed, and in other countries even, the sages, as well as the frivolous, acknowledged the force of the example. If we go farther back, we find that during the early ages of the commonwealth, the Romans allowed their beards to grow, and that the custom of shaving was not introduced until the middle of the fifth century, when, we are told by Livy, barbers were first brought from Sicily. Again long beards became fashionable during the time of Hadrian, who, to hide some excrescences on his chin, found his beard convenient. It is said the ancient philosophers allowed their beards to grow, less at first through affectation than indifference, but in time preserved them as a mark of gravity and wisdom. Lucian mentions one of them, who, being a candidate for a professor's chair, was considered incompetent to fill it on account of the scantiness of the honors of his chin.

winter, and wrappers, or shepherdesses, for summer.¹ The latter was without a waist, and gathered at the top. For occasional "dress," a calico, or calamanco, (camlet,) or poplin, was enjoyed, the sleeves short, reaching only to the elbow, with perhaps ruffles, sometimes ten inches wide. Long gloves were worn, secured by "tightens" (not gutta percha) above the elbow. These tightens were usually made of horse-hair. Aprons were worn in ordinary dress, made of checked linen, or cotton checked. On special occasions, white aprons of cotton, lawn, or cambric. Caps were seldom worn, except in full dress, the "strap cap" being worn chiefly by elderly women, and tied under the chin. The "round cord cap," leaving the ears exposed, was a fashionable article of dress. Both leather and broad-cloth shoes, with high wooden heels covered, and peaked toes turning up, were worn by females. Muffs,

¹ This style of dress was not simply promotive of health and comfort, but was more becoming than many at the present day would find it easy to conceive. The healthful appearance and native beauty of the wearers was not the less apparent because of the opposite of that expressed in the lines quoted by Seneca from an ancient poet thus Anglicized :

"A woven wind the married women wear,
And naked in a tissue cloud appear ;" —

nor because of the absence of the mysterious arts of personal embellishment which Ovid so feelingly and concisely expresses :

"Women with juice of herbs gray locks disguise,
And art gives color which with nature vies :
The well-wove towers they wear their own are thought,
But only *are* their own as what they've bought.
They know the use of white to make them fair,
And how with red lost colors to repair :
Imperfect eyebrows they by art can mend,
And skin, when wanting, o'er a scar extend.
Nor need the fair one be ashamed who tries
By art to add new lustre to her eyes." — *Congreve*.

of very small dimensions, were also in use. "Masks" were sometimes used in cold weather, in travelling abroad. Prunellas and brocades were a luxury not much indulged for a long time; and when these were once obtained, they lasted long, being transmitted from mother to daughter through successive generations. Very early the wardrobe of females was the subject of legislation, and "excess of apparel, strange new fashions, naked breasts and arms, and pinned, superfluous ribbons on hair or apparel," were sufficient to subject the offender to prosecution and penalties.

The position of the fair sex was clearly defined, well understood, and readily acquiesced in. Woman, it may well be supposed, had no voice in the enactment of the laws; at the same time, we have no evidence of any complaint being made, or dissatisfaction expressed. It may naturally be supposed that good wives and daughters readily partook of the husbands' and fathers' cares, and were from stern principle, if not necessity, restrained to great simplicity of dress and manners. Those, indeed, of the first distinction, were faithfully occupied in household duties and the superintendence of their families, and the matrons were, doubtless, generally like the celebrated Cornelia, the daughter of the great Scipio, and the mother of the Gracchi, who, when asked to show her jewels, presented her children — domestic affections triumphing over the love of parade and dress. The first instance that we find of woman's assuming to herself any other position, was that of the case of the celebrated Mrs. Hutchinson.¹

¹ How far it should be permitted to woman to have an active part in the administration of church and state affairs, is a question mooted

The men, old and young, had one good coat and vest, small-clothes, and fur hat. Old men had also a great coat and pair of boots. The latter, being well made of well-tanned leather, lasted for life, and were long, reaching to the knees. For every-day wear in winter, a jacket that reached to the thigh, a striped vest, and small-clothes of the same material with the jacket, were in use. These were made of homespun flannel, colored

at the present day, which we are not disposed, if we dare, here to discuss. Woman's influence has always been acknowledged. The Roman commonwealth itself was not indifferent to her rights. On one occasion, it is said, an unfounded report was circulated that a decree was about to be passed permitting men to have two wives; and a deputation of matrons instantly waited on the Senate, to claim an equal privilege of having two husbands. Woman, it must be conceded, has been found in every enlightened community possessed of a proper spirit to assert her just and equal rights; and, moving in her accustomed sphere, her native loveliness has usually been sufficient to command the profound deference of the lords of creation. Whether her appropriate sphere should be considered as embracing the largest freedom claimed by some, we are inclined to think *the sex*, if the question were referred to them, would, by an overwhelming majority, decide correctly. The sage of Stagira relates what is certainly an interesting case for physiological consideration—that “the common hen, if she has fought with and vanquished a cock, will immediately commence crowing, and that even her comb will enlarge, and her plumage alter to such a degree as to make it difficult to determine to which sex she really belongs. Even spurs will grow, and her whole character soon be changed.” Some, it is true, have contended that the successful fighting, and cock-like airs and form, in the case cited, are only the result of an imperfect development, and that the principle involved, as applied to the higher order of animals, especially to that class which Plato has pronounced “a featherless fowl,” therefore fails. Be this as it may, we confess we should have some fear of the results of diversity of views between husband and wife in a heated political canvass; for the sentiment of Tacitus, we suppose, is the result of sage observation—“*acerrime proximorum odia*”—the quarrels of near friends are most violent.

in the thread, and fulled at the mill, not sheared. Flannel shirts, knit woollen stockings, and thick leather shoes, made up the complement. A silk handkerchief was sported on holidays. For summer, wide trousers, reaching half way from the knee to the ankle, were common; but in warm weather, shoes and stockings were not needed on the farm. Boys were put into small-clothes as soon as they left their petticoats, and the material for their dresses was, for common attire, of home-manufactured cloth; for meeting dress, of everlasting. The eldest son would be served with a suit of the latter cloth, and, when he had outgrown them, the next succeeded to the suit, and so down to the youngest — and of boys in a family there was a good supply. When trousers were introduced, they were, for ordinary, made either of tow cloth, linen, or cotton for summer use, and woollen for winter. Young men would have been thought effeminate, had they worn overcoats. A writer familiar with later times says, "I remember that a neighbor of my father provided his four sons, between nineteen and thirty years of age, one with a pair of boots, the second with a surtout, the third with a watch, and the fourth with a pair of silver shoe-buckles. It created a neighborhood talk, and the family were considered in the high road to insolvency." Willis, in his *History of Portland*, in referring to a family of note that removed early to Maine from the Cape, says, "It may be something to show the style of an early day, to describe the dress of Joshua when he went 'a courting,' in 1750, as given by himself and Mr. Isaac Ilsley. Joshua wore a full-bottomed wig and cocked hat, scarlet coat and small-clothes, white vest and stockings, shoes and buckles, and two watches, one on each side. That surpasses any foppery of the pres-

ent day. The wearer of that dress was then twenty years of age.”¹

The meals, in those days, were frugal, the course at dinner being, in winter, ordinarily, first, “porridge,” — a broth, with a few beans thrown in, and seasoned; second, an Indian pudding, with sauce; and third, boiled pork and beef, with potatoes and pumpkin. Suppers and breakfasts were usually alike — milk with toasted bread in it, or sweetened cider, hot in winter, with bread and cheese. On “Sabbath mornings,” they indulged in chocolate or tea, the first sweetened with molasses, the tea with brown sugar, and the concomitants were pancakes, doughnuts, brown toast, or pie. They had no Sunday dinners until “both meetings” were over — but then the intermission was short; after meetings, a spare-rib, a stew-pie or roast beef, goose, chicken or turkey, made up the repast, with a few *et ceteras*. In spring, summer, and autumn, bread and milk constituted the principal breakfast and supper. The chief exception to the above bill of fare was fish, which in its varieties was abundant.

The new ploughed ground was always, some part of it, sown with wheat, which was used in various ways; and

¹ All this was a wide departure from the simplicity of the early days of the colony. The eighteenth century showed great progress in the style of dress, as in many other things. Before the time of the revolutionary war most of the customs of the old world were here in vogue. Even dancing began to be practised; the etiquette of the toilet became extended and expensive, and even jewelry was in demand. The three-cornered hat, the white-topped boots, the silver or gold knee-buckles, the bosom and wrist ruffles, the fine silk stockings, &c., marked the gentleman; the superb head-dress, the silks and satins with long waists, the long white kid gloves, the circumambient hoop, the gold beads, the high-heeled shoes, &c., were the outward adornments of the lady.

when broken, or, in later times, ground, the meal was not bolted, but simply passed through the sieve. But we are told, "the chiefest corn they planted at first was Indian grain, before they had ploughs; and let no man make a jest at pumpkins, for with this food the Lord was pleased to feed his people to their good content till corn and cattle were increased." The corn, before mills were provided, was pounded in a mortar, usually with a wooden or stone pestle. The mortar used was generally a large log, hollowed at one end. Barley supplied malt for beer.

The first houses had steep roofs, generally thatched. The fireplaces were so large that children might sit within the corners, and look out in the evening at the stars, through the chimney, if they would. The fuel, being abundant, was used in large quantities; logs four feet long and several feet in circumference, which required all the strength of a strong man to roll them in, were placed back, a forestick of corresponding dimensions was laid in front, and smaller wood was then filled in and heaped up, a plenty of light wood or "fat pine," being at hand to revive the fire and in the evening to keep up a bright and pleasant light. Oil or candles were used only occasionally. The hearth was of large flat stones similar to those used for sidewalks now. The fireplaces were constructed of stone, and sometimes the chimneys of layers of wood, notched at the crossings, the interstices filled in with clay and the whole interior plastered with the same.

The floors were always cleanly white from frequent washing, and were nicely protected by a fine, washed, white sand. The immense andirons, with hooks to receive the spit holding over the dripping pan the roast, enabled the housewife to furnish, with the aid of

frequent turning and basting, a dish that the epicure now covets in vain. Roasts were then roasts.

In a few years, houses of better construction began to appear—two stories in front, the roof in the rear sloped down to within six feet of the ground. The windows were supplied with hinges, opening outwards, and were quite small. The glass was in the diamond shape, and set in sashes of lead. The dwelling houses were always so placed as to front to the south, without regard to the street or road, and the house thus uniformly served for a dial.

Like Tanaquil,—sometimes designated as Caia,—the wife of one of the ancient kings, so remarkable for her devotion to domestic duties that her distaff was preserved in Rome for ages as a sacred relic, and her example handed down to posterity as a pattern of housewifery, the matrons of those days exhibited, and taught their daughters to practise that which is so highly commended by the wise man: “She seeketh wool and flax, and worketh willingly with her hands. She layeth her hand to the spindle, and her hands hold the distaff.” Home was the scene of domestic industry, quiet, peace, and happiness. “Her husband is known in the gates, when he sitteth among the elders of the land,” or “*Domum mansit, lanam fecit*,”¹ might well have been the encomium uttered in respect to many—ay, in reference to females generally, whose industry and skill provided ample comfort for all around them.

Every body went to “meeting” in those days, however distant they resided from the place for public worship. Those who owned horses held them as justly liable to

¹ Thus not unaptly translated:

“She keepit close the hous, and birlet at the wheel.”—*Gawain Hamilton*.

do service for any of the neighbors on "meeting days," and it was no unusual thing for the owner and his wife, the one on a saddle and the other on a pillion, with perhaps a little boy or girl before the man and an infant in the woman's lap, to ride half way to the place of worship, and then to dismount, on arriving at "the half-way block," and hitch the horse for the neighbors who set out on foot, walking themselves the rest of the way.¹ Young men and maidens rarely thought of riding to meeting, even though the distance might be six or ten miles. "Horse blocks" were always placed near the "meeting house," as well as near their dwellings, and at convenient stations, and were as indispensable as the well-pole and the oaken-bucket. Horses were all accustomed to pace, that they might carry the rider gently. The almost universal mode of travelling was on horseback, and long journeys were thus made.

The duty of the sexton then required that he should attend to the turning of the hour-glass. It was to be turned at the commencement of the sermon, and the minister was expected to close his sermon at the end of the hour. If he either exceeded or fell short of that time, it was alike regarded as furnishing just cause of complaint.

By order of the General Court, corns and beans were used in voting, the corns representing the ayes, and the beans the nays. A heavy penalty was imposed if any individual put into the box more than one. The can-

¹ Chaises, or such like vehicles, were then unknown. Travelling in stage-coaches was hardly dreamed of. The rapid rounding of a corner by a driver with "four in hand," his horn announcing in advance the "arrival of the mail," was an exploit reserved for a far distant day. The roads, as may well be supposed, were still susceptible of some improvement.

didates nominated were, of course, voted for separately until one was elected.

In illustration of the unsophisticated frankness and simplicity of the times, an anecdote which is doubtless familiar to all, has been related of the adventures of two notables of the Plymouth Colony — the result of their occasional business excursions to the Cape. Both gentlemen were frequently here, dispensing their good offices in the settlement of boundaries and the composing of difficulties of one kind or another; but, we confess, there are circumstances that quite incline us to the belief that the anecdote may be apocryphal: nevertheless, as we do not feel that it is any part of our mission to question too minutely long-received and universally-admitted data of this kind involving nothing absolutely essential to Cape Cod history, we give the facts as they have been handed down. When John Alden (a magistrate of Plymouth Colony, and one of the first company settled at Plymouth) was commissioned by his friend, Captain Miles Standish, for an errand which Standish had not the courage to undertake in person, viz., to make proposals of marriage to Miss Priscilla Mullens of Barnstable, — it is said, the young woman replied with perfect *naïveté*, perhaps simplicity, “Prithee, John, why dost thou not ask for thyself?” It may have been leap year; but, be that as it may, however much Alden may have been taken by surprise, the depths of his very soul seem to have been stirred by what he concluded was an intimation from the lips of the beautiful girl of a decided preference for himself. At all events, he married her, to the chagrin of Standish; and from that union have descended *illustrissimi viri*, of whom were two presidents of the United States.

And here, speaking of the fair Priscilla, we may as well say (for the fact is too important to be omitted, and must be said somewhere in our annals of the Cape) the girls of Cape Cod have not deteriorated in their sprightliness and personal charms since the time of Miss Mullens.¹

¹ It is true, the Rev. Dr. B., in an account of his visit in 1850 to different towns in this county, seems to conflict somewhat with this statement; nevertheless, as the testimony that he volunteers, although a little defective, as we think, in not being so emphatic as it should have been, in reference to those of Miss Priscilla's sex, is generally accurate, and as such worthy of a place here, we shall venture to insert it. In fact, we do it the more readily, because, when it comes to be analyzed, we think it will be pronounced high praise, though indirectly, of the gentler sex; for to commend the children is to commend the mothers. We hope the reader will be strongly impressed with the idea that it is this consideration alone that induces the reference to the reverend doctor's testimony, and that the credit will be charitably awarded us of being in no degree influenced by the paltry feeling of vanity. Should any, however, enviously refuse so charitable a construction, and think, in the language of Swift, who was too apt to be severe, —

"Tis an old maxim in the schools,
That vanity's the food of fools," —

we may then be obliged to retort, in continuation of the dean's satire, —

"Yet, now and then, you men of wit
Will condescend to take a bit."

But, really, we are a long time in coming to the remarks of that accurate observer of men and things, the reverend doctor. It is, reader, because — we feel somewhat embarrassed by their overwhelming truthfulness. And now, making one bold push, we clip from his "editorial correspondence in the New York Christian Inquirer" the valuable *morceau*; here it is: "The audience on this occasion was a large, attentive, and good-looking one. The Cape people are in person a fine race; the children are peculiarly handsome, with well-cut, regular features. We will not profess to have seen much female beauty, (it is rare every where,) but the men, in

Tradition says, that at the time of Mr. Alden's marriage excursion, there was a destitution of horses and travelling equipage in the colony, and that it was not uncommon for oxen or bulls to supply the place. Mr. Alden went from Plymouth to Barnstable, riding on the back of a bull, with a piece of handsome broadcloth for a saddle, and, on his return, his bride was seated on the same, the happy bridegroom leading the bull carefully by a cord fastened to the nose-ring.

frame and features, are a handsome race—tall, straight, full, and with the ground of what would be called an aristocratic appearance. We see where the Otises, the Quincys, the Thatchers, got their noble looks. Whether it is that the English race has intermingled less with others here than in other parts of Massachusetts, or on account of the climate, or because the calling of the men makes them acquainted with the world, and so fashions them, we will not guess; but we think Cape Cod has given some of the finest faces and forms to New England." The "audience," candor requires us to say, was in Barnstable.

CHAPTER XI

Progress of the Colony. — Toleration. — Municipal Regulations. — Extension of Settlements on the Cape. — Witchcraft. — Long Hair and Beards. — Society in England for propagating the Gospel among the Indians. — Watch over the Churches. — Fisheries. — Civil and Moral Delinquencies. — Preparations for War. — Severities towards the Quakers. — Remarkable Events.

IN 1646 Governor Bradford was reëlected, and Mr. Thomas Prince as assistant, as was also Mr. Edmund Freeman of Sandwich for the seventh time. NAUSET was now incorporated as a township. And it was ordered by the Colony Court that every town within the government shall have a clerk to keep a register of marriages, births, and burials.

A movement on the part of certain persons disaffected on account of the want of toleration, was supported by numbers of the deputies, but was overruled by the governor. To their honor it is recorded, that they asked the court "to allow and maintain full and free tolerance of religion to all men that would preserve the civil peace and submit to government." Mr. Edward Winslow wrote to Governor Winthrop, of Massachusetts, "How sweet this carrion relished to the palate of most of the deputies!" A similar effort was made simultaneously in the Massachusetts Colony. It is pleasant, at this day, to look back and see the spirit of true Christian liberty thus early exhibited, even though it was destined to be for a time discouraged and

crushed.¹ Who will now say that the prayer of the discontented was not most reasonable? They asserted most truly, that the fundamental laws of England were not acknowledged by the colony as the basis of government, according to patent; that the exclusion from civil privileges of those of good life and principles, because they might not coincide in their religious views with the dominant sect, and the denial to them of religious privileges, even to those who were members of the Church of England, was a violation of their rights as good citizens. They asked for civil liberty and religious freedom for all not scandalous in their lives and conversation; or that, if this was refused, they might be freed from the heavy taxes imposed upon them and from impressment. The time, however, had not yet come when they might be disenthralled. Still, we say, it speaks well for the colony that there were some, and even a majority, of the deputies, who *did* “relish” the proposition which the governor found it necessary, by an arbitrary act, to suppress. It is a gleam of light,

¹ Judge Davis says, “Upon examination of the views of the ‘discontented persons,’ they do not appear so malignant or unreasonable as they were esteemed when they were in agitation.” The “heresy” which Roger Williams had been charged with in Salem, in 1634, and which, it was averred, was as seditious as heretical, “tending equally to sap the foundations of the establishment in church and state,” and for which he was banished to seek the hospitality of savages in the wilderness, was, says Bancroft, asserting “that the civil magistrate should restrain crime, but never control opinion; should punish guilt, but never violate the freedom of the soul.” Mr. Williams was settled in Salem, April 12, 1631, as teaching elder, in connection with Mr. Shelton; on which occasion “a letter of reproof was written from the court in Boston, to Mr. Endicott. The court marvelled that the people would choose Mr. Williams without advising with the council.” *Winthrop*.—“The persecution was then already commenced.” *Bentley*.

radiating through the darkness of those early times, that augured well for the future, and its redeeming influence is grateful to the heart of the descendants of men who supported the measure. The strength which so just a measure had already acquired may be judged from the fact that intolerance was made to tremble for the result.¹ Mr. Winslow, as if anticipating its ultimate triumph, says, "If God have such a *judgment* for this place, [colony,] I trust we shall find a resting place amongst you, [the Massachusetts Colony,] for the soles of our feet." It is truly painful to contemplate the intolerance that reigned supreme at that time, especially in Massachusetts, interdicting, if not persecuting, all who dissented in the least from the popular faith and church polity. If some now retired from office, or were superseded, particularly in the magistracy, it may be presumed they were not sufficiently *practicable*. Jealousy and mistrust prevailed. The "factious and turbulent" must be subdued; and greater caution must be exercised in regard to the views of such as are to be placed in authority; for, notwithstanding every precaution hitherto, there had from the first been an infusion of settlers whose views were not strictly in sympathy with the exclusiveness that now prevailed. How far any portion of the Cape partook of a spirit of

¹ This movement was made first in the Plymouth Colony, in the month of October of the previous year. How it was opposed in the Massachusetts Colony, the histories of that day sufficiently attest. It were a long story to tell—how the petitioners were summoned to court, put under bonds, fined for "seditious proceedings," watched and even imprisoned lest they should leave for England to advocate the cause of the petition, their trunks searched for documents designed to be sent in support of their complaints, papers seized, &c. The movement has been charged with being "a formidable league for the advancement of religious freedom."

liberality inconsistent with the age, the succession of events may enable the reader to determine.

The court record this year contains a memorandum, that "something be done to maintain the liberty of the churches without intermeddling or wronging each other."

It was also ordered, "that when the inhabitants of Sandwich have paid a debt of seventeen or eighteen pounds owing to the old company, and paid the charge and purchase of their township, or such a sum as Mr. Thomas Prince and Captain Miles Standish shall agree upon, then the committees or undertakers shall yield up the land undisposed of, to the town, to be given forth and disposed by such persons as the town shall appoint; and that every inhabitant having lands granted him shall contribute proportionably to the said payment." It was further "ordered, that the committees of every town shall send the names of all their males from sixteen years of age to sixty, to the governor."

The following table of excise shows the rates agreed upon by the court:—

"Liberty to strangers to fish at the Cape, 5s. per share.				
Spanish wine, drawn by retail,	8d.	per	gallon.	
French wine,	"	"	4d.	per gallon.
Beer,	"	"	2s.	per hogshead.
Strong water,	"	"	18d.	per gallon.
Oil,	"	"	1d.	per gallon.
Tobacco, 1d. per pound."				

The year 1647 furnishes no very notable event as connected with the Cape. Mr. Prince, who was again assistant, was associated with Mr. Anthony Thacher, by

appointment of the General Court, to try the case of "Nepoytam, Sachamus, and Felix" — Indians against whom complaint had been made by Mr. Richard Sears, of Yarmouth; and the town of Sandwich was "presented for not training the year past."

An epidemic is represented to have passed through the entire continent, prostrating English, French, Dutch, and Indians before it. To what extent its influence was felt on the Cape, we have no means of determining: but from a remark made in connection with this event in regard to St. Christopher's and Barbadoes, where there was great drought and the prevailing sickness was very fatal, we learn that "New England produce was in great demand;" from which it would appear that exports from the colonies were already a matter of consequence.

Some progress had now already been made in extending the Nauset and other settlements, both in the direction of the Cape Cod harbor and over the tract lying between Eastham and Yarmouth. Previous to the emigration to Nauset, all the territory below that part of Yarmouth since called Dennis was in the sole possession of the natives. Now, instances were becoming very frequent of those previously settlers in the several towns in the neighborhood planting themselves on this tract, and others were beginning to come in from Plymouth and towns more remote.

In 1648, the government continuing in the same hands, we find Captain Standish authorized by the court "to hear and end all differences remaining in the town of Yarmouth;" and, he attending to the duty assigned, action was had in relation to lands, in behalf of "Thomas Payne, Mr. Hawes, Mr. Thacher, Mr. Howes,

Mr. Crow, Robt. Dennis, Thos. Flawne, Rd. Templar, Goodman Clarke, And. Hallott, Mr. Nickerson, John Darby, and Rd. Hoar." Mention is made also, incidentally, in this connection, of "Goodman Chase, Wm. Chase, Peter Worden, Mr. Gray, Edwd. Sturgis, Gabriel Wheildin, Mr. Matthews, the late Thos. Hatch, Mr. Lumkins, Goodman Prichards, Thos. Burman, and Mr. Simkins." It was also "ordered by the court, that Mr. Miller be sufficiently accommodated." And "it was agreed, May 15, by Captain Standish, Mr. Crow, Mr. Thacher, and Mr. Howes, the committees of this plantation of Yarmouth, and Rd. Hoar, Mr. Hawes, Wm. Nicorsone, Wm. Palmer, and Rt. Dennis, in the behalf of the town, that Mr. Staare, Wm. Nichorsone, and Rt. Dennis shall be *joined* to the committees for the present year, and thence after by the town; they have liberty to choose other three to the committees aforesaid, so that the committees shall not hereafter dispose of any lands without the consent of those three, or two of them; and if any difference arise which they cannot compose themselves, they shall repair to Captain Standish for direction." It was further "agreed, that the town shall enjoy and possess the neck called Nobscusset, als. Sasuit Neck."

Mr. Thomas Dexter, Jr., miller at Sandwich, was "presented for not having a toll-dish sealed according to order," but "was cleared." It would seem, from this incident, that mills were already in existence in other places than Plymouth for the grinding of corn, although the first mention made of any mill in the colony was in 1633, when Stephen Deane was allowed to erect a water mill in Plymouth "for beating corn," and it was provided that, "in case the said Stephen can beat all the corn that is or shall be used in the colony,

it shall not be lawful for any other to set up a work of that kind except it be for his own use, or freely without toll or any other consideration whatsoever to give leave to others to make use of the same."

The present year also records the first instance of a public execution for witchcraft in New England. It was that of a woman in Charlestown. The husband of the woman, after the execution, having taken passage for Barbadoes in a vessel well ballasted but with eighty horses on board, the vessel was observed to roll, and the man was apprehended and committed to prison; after which the ship ceased rolling. Such was the credulity and infatuation of the times. Happy would it have been if this were the only instance of it! But the delusion was not confined to New England, as the history of Lord Chief Justice Hale and other distinguished jurists in England, shows. We know of no instance of it on the Cape, we are happy to say, although the contagion seems to have been endemical many years in some other parts of the country. In one case, where a woman was condemned and executed, the infatuation of the populace was so great that "search was made on her body for teats, and in her chests and boxes for puppets and images."¹ But as

¹ A treatise on the nature of witchcraft (published by Rev. John Hale, pastor in Beverly, with a preface by Rev. John Higginson, pastor in Salem, who represents himself as then, 1697, eighty-two years of age, and daily waiting for his change) discusses the subject with much candor, after the subsidence of the delusion, and says, "There was a searching of the bodies of the suspected for such like teats, or spots, which writers speak of, called the *devil's marks*; and, if found, these were accounted a presumption, at least, of guilt in those who had them." Even the good Tertullian was quoted to prove the reality of the devil's mark, he having said, fourteen hundred years before, (quite innocent of any design to furnish testimony for such use

this shocking delusion did not at any time extend to the people of this county, we will not annoy the reader by any further mention of its disgusting details and sad results. To say that it did not extend to the Plymouth Colony at all, would not be consistent with the facts in the case. But it is worthy of remark, to the honor of the common sense of the people of the colony, that the course pursued in regard to it was governed by the evidence, and not by superstitious prejudice. There were at least two cases, and the record does credit to the men by whom justice was administered. The first occurred in 1660, when Dinah Sylvester, of Scituate, accused the wife of William Holmes. An examination was held, and Dinah, being present as a witness, was asked by the court, "What evidence have you of the fact that William Holmes's wife is a witch?" She replied, "She appeared to me as such." On being asked, "In what shape did she

in after times,) "It's the devil's custom to mark his." The impression was, that these marks were "teats sucked by imps." These marks, says Mr. Hale, were "sometimes but a bluish spot, sometimes a red one, and sometimes the flesh sunk." He says, sometimes raw sores were shown, where it was said the imps sucked. The mark of one was found upon the head; and Mr. Hale says, "I saw the sore place, and there was nothing to make it differ from another sore coming by natural causes. Another had the devil's mark upon her leg, which was a blue spot as broad as a shilling; her husband testified that he saw the spot, but little suspected it to be the devil's mark." Mr. Hale also testifies, "The quality of several of the accused was such as did bespeak better things, and 'things that accompany salvation' — persons whose blameless and holy lives before did testify for them." Mr. Hale acknowledges he had favored this delusion, and remarks, "It is an approved saying, *Nihil certius, quam quod ex dubio fit certum*: No truth more certain to a man than that which he hath formerly doubted or denied and is recovered from his error by the convincing evidence of Scripture and reason." *Hale's Modest Enquiry.*

appear?" the answer was, "In the shape of a bear." To the question, "How far off was the bear?" she replied, "About a stone's throw from the highway." Another interrogatory was, "What manner of tail had the bear?" to which it was replied, "I cannot tell, as his head was towards me." The court then "ordered, that the examination be recorded for the clearing of the accused, and that the accuser be publicly whipped or else pay the sum of five pounds; but in case she make a public acknowledgment of her crime, she shall only pay William Holmes the charge he has been at." The acknowledgment was made, that "the accusation was false and malicious." The other case was that of Mary Ingraham, tried for witchcraft in 1676, and promptly acquitted by the jury.

"The delusion" in regard to witchcraft, it has been said, in palliation of the infirmity of the early settlers, "they brought with them from the mother country. Laws making witchcraft a capital offence existed in England."

In 1649, Mr. Prince, of Nauset, was again assistant to Governor Bradford. Selectmen were first chosen this year; and this was also the era of the rule in New England, that none should wear "the hair on their heads below the ears:" the mania, however, against long hair, whiskers, and beards, did not, so far as we can discover, extend itself in the same degree in the Plymouth Colony as in the Massachusetts; nor did it, as we are aware, affect the Cape at all except as a matter of fashion. How it was with tobacco, which, a few years before, was prohibited under a heavy penalty, we are not able to say.

The act of Parliament "for promoting and propa-

gating the gospel among the Indians of New England" was passed July 27. Sixteen good men were constituted a corporation, with a president, treasurer, and assistants. By the same Parliament, the commissioners for the United Colonies had power and authority given to receive and dispose of all moneys collected by the society or appropriated to its use, for the furtherance and advancement of the good work.¹

In 1650, Mr. Prince, of Nauset, was again assistant to Governor Bradford. A strict watch was kept over the churches by the magistracy. No church could be gathered without the permission of the magistrates,

¹ One great end professedly had in view in planting the colonies, and the obligations so particularly expressed in the Massachusetts charter, — viz., "to incite the natives of the country to the knowledge and obedience of the only true God and Saviour of mankind, and the Christian faith," — had, it was felt by many, been too much and too long neglected. Such was the feeling of not a few in the colonies, and of many in England. Even the Indians asked how it happened that Christianity was so important, and yet for six and twenty years together the English had said nothing to them about it. The personal efforts and success of Rev. John Eliot, commencing in 1646, had been reported in England, and had excited much attention. An address was presented to Parliament, calling for "countenance and assistance in propagating the gospel in America, that the present generation may be the happy instruments of effecting those oft-repeated promises of God, in making all nations blessed by the coming of Christ, and by sending his word to all lands." By authority of the act passed, a collection was made in all the parishes of England, which collection, being very large, yielded an interest of about six hundred pounds per annum. The churches here also contributed. After the restoration, a new charter was obtained for this society from King Charles II. The exertions of the society in England and the efforts of the benevolent who aided their designs, seem to have been ineffectual, except in some limited and transient degree. The race appear to have been destined to extinction.

and any minister preaching without their approbation was liable to a penalty. Mr. MATTHEWS thus offended, and was fined ten pounds. In regard to Mr. Matthews, it may be an act of simple justice here to state that accounts are somewhat conflicting. Some will have it that he was not simply through inadvertence officiating without having first secured the approbation of the magistrates, but was suspected of unsoundness in his doctrinal views, and, it is even intimated, was not duly qualified in other respects. A very clever writer, Rev. E. H. Sears, in an olden-time view of Yarmouth, refers to the congregation assembled for public worship, and says, "They sit in their plain and neat attire, under Marmaduke Matthews, who measures out his sermon to them by the hour-glass. The sexton turns the glass when the sermon begins, and the preacher must keep on till the sand runs out, whether his ideas have run out or not. It is not a very difficult rule, however, for Father Matthews who is said to have used words without much reference to thoughts, and to have been called to account by his brethren for preaching heresy when he was not aware of it."¹ Mr. Matthews, it is certain, was not the only minister complained of for daring to preach without being sent by the magistrates' approbation.

¹ Mr. Matthews has been represented by some of his contemporaries as "weak and eccentric;" but we are inclined to think the weakness was mere artless simplicity, and the eccentricity the frankness of a man void of all subtlety. Governor Winthrop speaks of him as "a godly minister." He came over in 1638, and was early in Yarmouth — the first minister settled there. He probably left immediately after the imposition of the fine, since we find him the same year in Hull, then at Malden, and finally, in 1692, at Cape May. He was succeeded in Yarmouth by Rev. John Millar.

In the month of October, the permission formerly given to John Stone, of Hull, to make use of lands at Cape Cod for bass fishing, was withdrawn by the court; and leave was granted "to Mr. Thos. Prince, Captain Miles Standish, and Mr. Wm. Paddy, with such others of Plymouth, Duxbury, and Nawsett, as shall join with them,—they to make use of any lands, creeks, timber, &c., upon the Cape land, in such convenient places as they shall choose," for the said fishing purposes.

In 1651, Mr. Prince was again assistant to Governor William Bradford; and the court ordered that the town of Nauset be henceforth known and called by the name of EASTHAM.

It was also ordered by the court, that "if any lazy, slothful, or profane persons, in any of the towns, neglect to attend public worship, they shall pay for each offence ten shillings or be publicly whipped."¹

The town of Barnstable was presented for not contributing to build Eel River Bridge, that town, with Sandwich and Yarmouth, being required to aid in building it. These several towns seem to have considered the exaction as unreasonable, and therefore resisted. They very naturally supposed that the convenience of the bridge in Plymouth was quite as much a matter of interest with the people of Plymouth as

¹ The reader cannot fail to notice the peculiarity of expression in this enactment, intended by implication to reach beyond fines and corporal punishment. For whatever cause the only tolerated public worship was disesteemed; those who desired a better way were to be regarded henceforth as the "lazy, slothful, or profane," *per consequentiam*. It reminds one of the proposed legislation in another colony, which placed "the use of the Book of Common Prayer" in the same category with atrocious crimes.

with the people on the Cape, and that, whilst it afforded daily facilities for the inhabitants of that town, and was of general public advantage, enabling the people of the towns above, as well as those of Plymouth, to pass down to the Cape without fording the stream, the expense should be borne at least equally by the colonists generally, if not entirely by the town of Plymouth, and not imposed in unequal proportion upon the remoter towns of Sandwich, Barnstable, and Yarmouth. But Plymouth influence was at this time paramount, and the Cape towns must submit.

Ralph Allen, Sen. and Richard Kerby, of Sandwich, were bound over "to answer for deriding and vilifying speeches of and concerning God's word and ordinances" — twenty pounds each, with two sureties each in the sum of ten pounds. Presentments were also made of Ralph Allen, Sen. and wife, George Allen and wife, William Allen, Richard Kerby, Peter Gaunt and wife, Rose Newland, Edmund Freeman, Sen. and wife, Goodwife Turner, and widow Knott, all of Sandwich, "for not frequenting the public worship of God, contrary to order made June 6 of the present year."¹

For the following year, 1652, Mr. Prince, of Eastham, was continued assistant, and the court performed its ordinary amount of business in regulating the morals

¹ The key to the special legislation of the preceding General Court. In the annals of Sandwich it may be seen that Rev. Mr. Leverich had felt himself insecure of the position due to the dignity of his office — so early and to such an extent did religious dissensions begin every where to be exhibited. These persons had all a high respect for divine ordinances, but also for religious freedom and unfettered thought. They were supporters of their *pastor*, but not partial to the inspiration and gifts of those who would supplant him.

and correcting the municipal deficiencies of the several towns. The Cape received its proper share of these attentions, Sandwich being presented "for not having a full supply of powder," and fined; Ralph Allen, Sen. and Richard Kerby, of Sandwich, presented "for speaking deridingly against God's word and ordinances,"¹ sentenced to pay five pounds each, or be whipped; the wife of Tristram Hull, of Barnstable, "for interfering with the service of a domestic in Mr. Samuel Mayo's family," warned to desist, and carry herself better for the future; and a citizen of Barnstable was presented "for having a child by his wife five weeks and four days before the ordinary time of women after marriage;" as also a citizen of Sandwich, for allowing a larger margin, the birth occurring only "thirty weeks after marriage." Besides all this, "rumors" having reached the General Court, "of a scandal that is laid on the government by Mr. Millar of Yarmouth, publicly delivered," the jury was directed to make due inquiry, "to vindicate the colony."² Moreover, "Sandwich and Mattakeese, alias Yarmouth, were presented for not building the bridge over Eel River." Complaint also being made "that the lower way between Sandwich and Barnstable was interrupted," Mr. Prince and Captain Standish were ordered to impanel a jury, "to lay out as conveniently as they can a country road — unless the town of Barnstable will themselves allow it for a highway." The same gentle-

¹ These and similar charges must, in justice to the accused, be received with much allowance for the construction put upon the least dissent from the dogmas of the day or the prophesyings of bigotry and self-conceit.

² Rev. John Millar, who succeeded Mr. Matthews in Yarmouth, had, says Dr. Cotton Mather, been previously settled at Rowley.

men were ordered to impanel a jury to lay out the most convenient way from Sandwich to Plymouth; and Mr. Prince of Eastham, Mr. Howes of Yarmouth, John Chipman of Barnstable, and Richard Bourne of Sandwich, were appointed to receive from these several towns "the oil of the country."

The jurors appointed February 24, to lay out the most convenient way from Sandwich to Plymouth, were "Ant. Thacher, Thos. Dexter, Thos. Hinckley, Wm. Hedge, Edward Bangs, Joseph Rogers, John Wing, John Ellis, Henry Dillingham, James Skiff, John Finney, Jona. Hatch, and Wm. Bassett." This jury, impanelled by Mr. Prince, proceeded to the duty the 27th of February, and reported: "Beginning at Sandwich, and so leaving Goodman Black's house on the right hand, running across the swamp, over the river, and so on a nor-north-west line falling upon Eel River," &c.

Captain Standish was appointed to rectify the bounds between Sandwich and Barnstable; and an order was passed by the court, that "no Indians shall carry any burdens on the Lord's day."

The court also, in December, directed the several towns to send deputies to meet the magistrates, April 1, 1653, "to treat and conclude on such military affairs as, through God's blessing, may probably tend to our present and future safety," in consequence of variances between England and Holland. Sandwich sent James Skiff; Yarmouth, Sergeant Rider and John Gorham; Barnstable, Lieutenant Fuller and Sergeant Thomas Hinckley; Eastham, John Doane and Richard Sparrow.

This was the year of the first coinage of money in New England; the coins were issued in Massachusetts.

No other colony ever attempted it, although the Massachusetts coins — shillings, sixpences, and three-pennies — with the impress of *New England* on the one side and XII., VI., or III. on the other, as first struck, and afterwards of *Massachusetts* and a tree in the centre on one side within a double ring, and *New England and the year of our Lord 1652* on the other side — were freely circulated every where. The same date was continued on all struck for thirty years after. A great amount was coined, and its purity maintained. To the mint master was allowed for his services fifteen pence out of every twenty shillings; and he realized a large fortune from so advantageous a contract.

In 1653, the same government prevailed as in the year previous.

The court having passed an order the December previous for a convention of military men, James Skiffe of Sandwich, Sergeant Rider and John Gorum of Yarmouth, Lieutenant Fuller and Sergeant Hinckley of Barnstable, and John Doane and Richard Sparrow of Eastham, met April 6, at Plymouth, with delegates from the other towns in the colony, "to agree on military affairs;" and, May 12, sixty men were ordered by the court to be raised, agreeably to a requisition from the council of war. Sandwich was to furnish six, Yarmouth six, Barnstable six, and Eastham three of the number. Another record says, "Danger being apprehended because of a variance between England and Holland," provision was made for "the raising of money, the enlistment of soldiers, the procuring of arms, powder and balls, and for a military watch in each town." A certain portion of each military company was also

"required to take their arms with them to meeting on all occasions of public worship."¹

Mr. Leverich, the minister of Sandwich, was now to come in for a share of the special attention of the court, and was presented "for exchanging a gun with an Indian;" and Mr. Thomas Tupper, of Sandwich, was "disallowed" by the court from solemnizing marriages in future, "because of his neglect to marry Edward Perry." Josias Hallet and Thomas Gage also, living in the towns below, were presented "for profaning the Lord's day by putting forth to sea from Sandwich harbor on the Lord's day," and were fined. Nor did the difficulty growing out of the neglect of Mr. Tupper to perform the marriage ceremony according to the form approved, end with the cashiering of him as the priest of such solemnities; for at a subsequent General Court, Perry was fined five pounds for refusing to have his marriage ratified before Mr. Prince, and it was decreed that the penalty should be repeated and enforced at every session of the General Court, until the marriage should be thus ratified and confirmed.

The colony, and especially Barnstable, now sustained great loss in the decease of the Rev. John Lothrop. He died this year, November 8, greatly lamented. Thus early began to fall some of the main props of the

¹ A singular requisition this in anticipation of foreign invasion. The practice was common whenever difficulties with the Indians were apprehended, as McFingal satirically suggests:—

"So once, for fear of Indian beating,
Our grandsires bore their guns to meeting;
Each man equipped on Sunday morn
With psalm-book, shot, and powder-horn,
And looked, in form, as all must grant,
Like th' ancient true church militant,
Or fierce, like modern deep divines,
Who fight with quills, like porcupines."

colony, and the most distinguished of the pioneers in the settlement of the towns on the Cape.¹

In 1654, nearly the same government existed, and in the month of August, new deputies were called for.

A vessel belonging to Samuel Mayo, of Barnstable, employed in conveying the goods of Rev. Mr. Leverich from Sandwich to Oyster Bay, Long Island, was seized at Hampstead harbor, by the authorities of Rhode Island. It being considered a high-handed offence against the dignity of Plymouth Colony, commissioners were sent to Rhode Island to look into the matter. The act was

¹ The Rev. JOHN LOTHROP came to Boston, from England, September 18, 1634 or 1635. He had been educated at the University of Oxford, and settled first in Kent, in the established church. After leaving Egerton in Kent, 1625, he succeeded Rev. Henry Jacob, as pastor of the independent church, organized 1616, in London, and which is said to have been the first of that order formed in England, and which, it may be superfluous to add, was made up of seceders from the Church of England. It is stated that about thirty of his flock accompanied him to this country. Going from Boston to Scituate soon after his arrival, he was there chosen pastor, and remained four or five years, until his removal to Barnstable. He was undoubtedly a man of learning, and, as Neal says of him, "of a meek and quiet spirit." He brought four sons with him from England, viz., Thomas, who settled in Barnstable, Samuel, who settled at Norwich, Joseph, who was in Barnstable, and Benjamin, of Charlestown. He had also sons born here, viz., Barnabas and John, who remained in Barnstable. From Thomas, the eldest, it is said, those of the name of Lothrop in Plymouth County trace their descent; from Samuel, the second son, the numerous families in Connecticut, New York, and Vermont, are derived, some of whom write their names Lathrop. Those in Essex County are supposed to be descendants of Benjamin. The posterity of Joseph, Barnabas, and John has been numerous in Barnstable County. Rev. Dr. Lothrop, of Boston, published a memoir of his ancestor, in the Massachusetts Historical Collections. The name is variously written in the old records.

disclaimed by the government of Rhode Island, and so the affair happily terminated.

A road from Sandwich to Plymouth was ordered to be laid out, and commissioners were appointed for the service by the court at Plymouth; and additional men were called for by the council of war, of which four were required of Sandwich, four of Yarmouth, five of Barnstable, and three of Eastham.

The people of the Plymouth and Massachusetts Colonies, it is alleged, began about this time "to be indifferent to the ministry, and to exercise their own gifts, doubting the utility of stated preaching. The support of ministers being cut off, many left the colony. Mr. Leverich, of Sandwich, went to Long Island.¹ Yarmouth was destitute. In Eastham no minister was settled. The General Court, in consequence of this state of things, addressed the honorable commissioners on the subject. They also inveighed strongly against the Quakers." We may venture here to remark, that the mere "want of support" in a pecuniary sense, was probably not the only reason of these changes among "the ministry." Of the combination of causes leading

¹ The Rev. WILLIAM LEVERICH, it is said by Farmer and others, came to Salem, in the ship *James*, October 10, 1633, and preached at Dover until 1635, that being then the plantation of Lord Say and Seele. His support being insufficient, he removed to Boston, where, August 9, he was admitted a member of the first and only church then there. After this, he assisted Mr. Partridge, of Duxbury, a short time, and then removed to Sandwich. He is spoken of as "a man of great piety and meekness." He wrote his name as above, as may be seen by autographs, and as also appears by the records at Newtown, Long Island, although, in the books, it is generally written *Leveridge*. He graduated at Emanuel College, Cambridge, England, A. B., 1625, and received the degree A. M. 1629. Farmer says, "he graduated 1595;" but the former dates are supposed to be correct.

to this, the reader will judge for himself in view of the facts related.

In October early, the 3d of the month, "a deputation" consisting of "horse and foot," was "sent with a message to Ninigret, the Niantick sachem;" and to make up the complement of soldiers required to convey that message, four were exacted of Sandwich, four of Yarmouth, five of Barnstable, and four of Eastham.

The freemen of Sandwich, "desiring land at Mashpee Pond, including ten acres of meadow; at Satuit Pond, one hundred acres; a neck of land by Cotuit River, to keep cattle; and meadow at Mannamuch Bay," the court was pleased to grant their request.

In 1655, the government of the colony continued the same. There was now, we are sorry to confess, already begun an unhappy course of intolerance against the people called Quakers. The colonists were willing that a spirit of which they once complained, whether justly or unjustly, should be construed into a right of conscience, and its exercise by themselves regarded as a sacred duty. Not the least deviation must be allowed from the course they themselves were pleased to adjudge to be orthodox.

Greatly is it to be lamented that the sincerity of the professions the early settlers had made of Christian liberty and charity should ever have been tarnished by a course of conduct so opposite. The persecution of this people originated in, and was chiefly confined, for a time, to the Massachusetts Colony; and there, in fact, was ever the seat of its chiefest intensity. We are happy in the belief that Cape Cod had never any share voluntarily in these proceedings. All the doings of the Cape towns, as such, will show that they were

duly respectful of the rights of their fellow-Christians. But this year there was an order of the General Court that "no Quaker be entertained by any person or persons within this government, under penalty of five pounds for every such default, or be whipped." All will now concede that this was an outrage upon humanity.¹ One of the proscribed was Nicholas Davis of Barnstable, who, with others, was banished from the Massachusetts Colony on pain of death.

Troops of horse were this year required by law, and Sandwich was to furnish three troopers, with horses and equipments, Plymouth three, Duxbury two, Scituate four, Taunton three, Yarmouth three, Barnstable three, Eastham three, &c., the proportion allotted to each, no doubt, showing the relative importance of the several towns at this time.

"An epidemic, similar to that of 1647-8, prevailed in the New England plantations about this time, and carried off many."

The order of Court requiring the towns to procure a

¹ The true principle of religious toleration was not, at this period, understood or practised as it should have been. It was, in some measure, the dark spot of the age, and scarcely any people, of any denomination, could claim to be absolutely faultless in this matter. If the Puritans felt that they had cause to complain of the Church of England, those who fell under the proscription of the powers here existing had much more occasion for complaint. In Rhode Island, Maryland, and Pennsylvania, more just views of what is due to differences of religious opinion seem to have prevailed, and, in truth, a better regard also to the rights of the natives of the soil, than in any of the other settlements either north or south. Mary Fisher, who was one of the persecuted Quakers, had proved this to be true also in regard to other lands. She had travelled as far as Adrianople, where, coming to the grand vizier's camp, she procured a man to go and inform the Great Turk that she had a message from God to him. He permitted her to be introduced, and listened to her message.

book for record, therein to record "every parcel or parcels of land any man hath, and is now possessed of, or shall become possessed of, said land to be publicly declared in town meeting, and approved, and then recorded in the town's book," thus assuring to the possessor his claim, the record to be "a sufficient security to claim, hold, and retain the full and lawful right, title, and interest to them, their heirs and assigns forever, of all and every such parcel or parcels of lands," led to a general movement in this matter of laying out, dividing, and bounding of lands.

Provision was made for the erection of a grinding mill in Sandwich, by a contract with Matthew Allen, on the part of the inhabitants; the project failing, it was again renewed the same year, on a proposition from Thomas Dexter. Whether the former mill mentioned was merely a mill for "the breaking of corn," or whether this was a second mill for the making of meal, does not clearly appear,—probably both suppositions are correct.

This year, "Masshantampaine was accused" of sundry offences, viz., 1. "of stealing a gun," which, to the honor of the Indian, we are glad to find, proved on inquiry to be an erroneous charge: the decision of the court was that "the gun was his;" 2. that his "dogs injure the cattle" of the inhabitants of Yarmouth; and, 3. that he had "in his possession a chest of tools:"—on the last two charges an inquiry was ordered.

A controversy having arisen between Thomas Birge of Sandwich and the town, "about the right to herrings taken at his grounds at Mannomett," the matter was compromised by allowing said Birge "to take annually ten thousand herrings for his own use."

Sandwich was presented "for not being provided

with stocks and a whipping post ; also for not having a full complement of arms ;" and the town of Eastham was presented "for not having a pound." It appearing to the court "that injury had been done by horses to the Indians' corn at Mannomett," it was decreed, "that the damage said Indians received must be paid," and Mr. Freeman was authorized to "require the matter to be properly adjusted." The claims for wolves destroyed this year were, from Sandwich four, Yarmouth six, Barnstable nine, and Eastham four.

Without referring further to the indictments and penalties for what was denominated "lascivious conduct," (which were confined to no one part of the colony more than to another,) we may here suggest whether there is not some force in the oft-remark, that the great severity of laws, and the rigid construction of the same, may tend to the multiplication of offences and to the contempt of an espionage naturally distasteful to all possessed of a particle of self-respect. The restrictions imposed on the virtuous intercourse of the young, like sumptuary laws and extremely strict and doubtfully rigid measures in regard to total abstinence from stimulating drinks and tobacco, may possibly, in some instances, disparage and retard the reformation intended. We do not here express the opinion that such is the effect, but we are involuntarily led to reflect upon the remark to which we have referred.

CHAPTER XII.

Laws enacted. — Religious Dissensions and Insubordination. — Quaker Troubles. — Lands at Yarmouth, Sandwich, Barnstable, &c. — Oath of Fidelity. — Selectmen. — Settlement at Monamoyick. — Saconnessit. — Indian Church at Mashpee. — Divers Troubles, Complaints, and Accusations.

IN 1656, Mr. Prince, of Eastham, was once more assistant to Governor Bradford. Every town was required, by order of Court, to "cause a book of record to be kept of all divisions or sales of land, and these lands were to be duly bounded to prevent disputes." It was also "ordered that card playing be punished by a fine of fifty shillings, and that servants or children playing at cards, dice, or other unlawful games, be corrected by their parents or masters for the first offence, and for the second be publicly whipped." It was further enacted that "vilifying any church or ordinance be punished by a fine of ten shillings; profaning the Lord's day, by a like fine or public whipping." This last order included the neglect to attend public worship. It was also "ordered that no Indian shall fire a gun in the night nor on Lord's days."

The colony appears at this period to be entering upon a career of comparative insubordination, recrimination, and trouble. Unfortunately, there does not exist henceforward, at least for some time, that general unanimity and submission to law, that good neighborhood and deference to authority, which have heretofore characterized the community. Religious dissensions are usually prolific of extravagances of opinion and

action ; and however such dissensions may at first be occasioned by erroneous views and acts, the errors and practices condemned are generally strengthened by opposition, especially if it be strenuously and severely exhibited. Mr. Leveridge, whose presentment for selling a gun to an Indian, in exchange for some commodity, and who had retired to Long Island, has before been mentioned. He was now fined fifteen pounds for the offence, and seems, for some reason, to have fallen in a degree from the high estimation in which he was once held ; although, after leaving the colony, he evidently was greatly respected and valued in his future labors.¹

¹ We may as well remark here, (for we can do it in this place without appearing to make invidious reference to any individual or family in particular) that as often as is convenient we shall resume family genealogies, and in some instances attempt brief biographical notices ; and that there are a few suggestions which we deem it not irrelevant to make before we proceed farther. The suggestions are these : That the history of families may not in every particular instance, i. e., in every link of the chain, exhibit fully the mental, moral, or physical traits or peculiarities, the talents, tastes, propensities, tendencies, modes of thinking and acting, or forms of body and face, of ancestral descent ; indeed, from a combination of causes, it is often far otherwise : still, the intellectual and other qualities of a parent often, nay, generally, ay, almost invariably, will descend in some measure through an extended line of progeny, if such there be ; more distinctly seen in here and there a *link* to which is transferred the very image, intellectual, moral, and physical, of some progenitor. Although it would be too much to assert that in such degree the transfer is universal or even general, marked throughout the entire line of descent in unbroken or chiefly uninterrupted succession, still the traces are remarkably distinct. To illustrate : where an ancestry is grovelling and debased, the descendants very generally, in fact almost invariably, partake of the infirmity in some perceptible degree ; their minds and persons being, as it were, the transfer of the qualities of parentage. No crossings with better blood, however elevated, entirely eradicate

William Nickerson, of Yarmouth, whom we shall have occasion frequently to mention in connection with

the prevailing characteristics for many generations. With, indeed, perhaps slight and occasional variations, the same general character will be found to remain enstamped upon generation after generation. The shades of feeling, the phases of character, the predominant tastes, the sentimental peculiarities, the passions, are reflected and perpetuated. No one can, with close and thorough observation, give his attention to the subject, and not perceive the truth of this. This view is, with the writer, not the result of any preconceived or prereceived theory, but the forced conviction from unavoidable observation in the prosecution of genealogical investigations pursued for quite another object. He confidently believes that he can point, for example, to families who for nine generations were never known to perform a truly exalted, noble, or generous act; and the blood to this day forbids the expectation or hope of witnessing such an exhibition from such a source. The poison has continued in the blood, and, however much diluted, has polluted the stream. Thank God, such instances on Cape Cod are rare. On the other hand, the noble qualities—the intellectual of high order, the moral, (to say nothing of the physique,) although they may not be so prominently and almost universally transmitted, will be found to be usually transmitted in some degree, giving a certain prominence of character—here and there bursting out and shining forth with the original brilliancy. However in consequence of the crossings being unfavorable, the otherwise predominant highly intellectual and moral may become nearly or quite obliterated, so that branches of the descent may show little or no sign of the origin from which side the finer qualities might have been inherited under more favorable circumstances; still, other branches will have preserved those noble traits in greater measure, and now and then may appear the very features both of face and intellect,—ay, also of heart,—in all their ancestral grandeur. Although the development may have overleaped a generation, or two, or more, it breaks forth—the same ennobling virtues, the same charms and graces, the same intellectual powers; so that from the qualities that hallow the memory of the progenitor may be clearly traced the present development, and possibly its transmission through succeeding generations. It is to be observed, however, that the transmission of superiority, whether mental, moral, or physical, through children and

misunderstandings between him and the government, was now, "for buying lands of the Indians and for selling to them a boat, disfranchised."

children's children to distant generations, is often, very often, to descendants of another name—the descent being the blessing conferred by a MOTHER. In all this we mark one of those laws of Nature worthy to be more generally understood and regarded. It is not compatible with our present duty, or we might greatly enlarge on this subject; for who, with the slightest observation and inquiry, has not been furnished with corroboration of much that we might say showing how forms of body and face, mental endowments, moral symmetry or obliquity, as well as the proclivity to disease or the tendency to longevity, descend from one generation to another. Who has not seen how the portrait of a remote ancestor sometimes appears a perfect fac-simile of some descendant of the present generation! Trace back the moral and intellectual features also, there is the same counterpart—the resemblance being not merely manifest but wonderfully striking.

A sensible writer has said, "It is a matter of curious, and even philosophical, though sometimes of painful interest, to trace the vicissitudes especially of American families. One generation surrounded by splendor, station, and wealth; the next, perhaps, in mean employments and poverty-stricken; the next emerging from such position and again encompassing the high places of society—sometimes depressed without fault—sometimes elevated without worth or wisdom." Be it so: who is not desirous of knowing who his ancestors were? The interesting memorials of an age already sacred are rapidly disappearing: whilst any traces remain the author of the present History would preserve them. Said Daniel Webster, "It is a noble faculty of our nature which enables us to connect our thoughts, our sympathies, and our happiness, with what is distant in place or time; and, looking before and after, to hold communion at once with our ancestors and our posterity. There is also a moral and philosophical respect for our ancestors, which elevates the character and improves the heart. Next to the sense of religious duty and moral feeling, I hardly know what should bear with stronger obligation on a liberal and enlightened mind, than the consciousness of alliance with excellence which is departed,—and a consciousness too, that in its acts and conduct, and even its sentiments and thoughts, it may be actively operating on the happiness of those that come after it."

In 1657, Mr. THOMAS PRINCE, of Eastham, was elected Governor of the Plymouth Colony — an office which

The care of the ancient Romans to keep in remembrance the virtuous departed has been thus described by Edward Everett: "It was the custom of the primitive Romans to preserve in the halls of their houses the images of all the illustrious men whom their families had produced. These images are supposed to have consisted of a mask exactly representing the countenance of each deceased individual, accompanied with habiliments of like fashion with those worn in his time, and with the armor, badges, and insignia of his offices and exploits; all so disposed around the sides of the hall as to present in the attitude of living men the long succession of the departed; and thus to set before the Roman citizen, whenever he entered or left the habitation, the venerable array of ancestors revived in this imposing similitude. Whenever, by a death in the family, another distinguished member of it was gathered to his fathers, the ancestral masks, including that of the newly deceased, were fitted upon persons selected in size in reference to those they were to represent, and drawn up in solemn array to follow the funeral train of the living mourners, first to the market-place, where the public eulogium was pronounced, and then to the tomb. As he thus moved along with all the distinguished fathers of his name, resuscitated in the lineaments of life, and quickening, as it were, from their urns, to enkindle his emulation, the virtuous Roman renewed his vows of pious respect to their memory and his resolution to imitate the fortitude, the frugality, and the patriotism of the great heads of his family." Now, no such strange and awful processions, or imposing customs, may exist among ourselves; but may it not be well that our progenitors pass before us in other forms? and, though we may not gaze with awe on the artificial and theatric images of their features, we may mark their several names and positions, contemplate their venerated characters, call to mind their virtues, and perpetuate their memory? May not the influence be salutary upon children and children's children? If in the long ancestral array appear those whose services and whose virtues were memorable, is it an odious thing for their descendants to cherish a grateful and filial pride in the review, and to gather therefrom incentives to virtuous ambition? And is there not force in the remark of the pious Leverich, the first minister of Sandwich — "He who does not think of his ancestors will be negligent of his posterity?"

he had held twice before, previous to his removal from Plymouth. The governor was, by law, expected to reside in Plymouth; but a dispensation was granted by the Colonial Court in his favor, and, notwithstanding his elevation, he continued to reside on the Cape. Governor Bradford died March 9. The indisposition to accept of office increasingly pervaded all portions of the community; constables elected declining to serve were ordered to be fined four pounds each. This office especially was one coveted by few.

The spirit of intolerance against the Quakers seems now to have become somewhat rife in this colony, as well as in Massachusetts. *Norton* and *Rouse*, two of the sect, were imprisoned by the court at Plymouth; and on their refusing to be sworn, were publicly whipped. For this unchristian act, the officer required a fee; the outraged men, refusing to pay for the lashes they had endured, were remanded to prison, and there detained until they promised to leave the jurisdiction! Still other disfranchising laws were passed against the Quakers; and it was ordered that "no public meetings but such as the government shall approve shall be set up."¹ Such were the proceedings instituted against them in this colony. Mr. Baylies suggests, as a palliating circumstance, that "an alarming defect of reverence and support of the ministry was spreading in the towns,

¹ Even ministers of the prevailing order were subject to the approval or disapproval of the magistrates, and, though the choice of the people, might be silenced at the will of the magistracy. Mr. Matthews of Yarmouth, we have seen, in 1650, was fined £10 for preaching without the allowance of the magistrates. Not even a church could be gathered without the magistrates' consent; and no man could be in the full extent a freeman, unless he was a member of one of the churches approbated.

and that schisms in churches were not unfrequent, no less than five prominent ministers being obliged to separate from their flocks for the want of support; many persons preferring to exercise their own spiritual gifts."

Complaint was made to the General Court against divers persons in Sandwich, "for meeting on Lord's days at the house of William Allen, and inveighing against ministers and magistrates, to the dishonor of God and the contempt of government." Jane, the wife of William Saunders, and Sarah, the daughter of William Kerby, complained of "for disturbance of public worship, and for abusing the minister," were, on being summoned to court, sentenced to be "publicly whipped." William Allen, William Kerby, and the wife of John Newland, were also involved in these difficulties; and to Mr. Newland the following order was issued: "John Newland, of Sandwich: The court being informed of a meeting that hath tended to the disturbance of the public worship of God, which said meeting hath been kept at a house in which we are informed you have an interest — these are to require you that you suffer no such meeting at your peril. The court order, per me, Nathaniel Morton, *Clerk of Court*." ¹ It was further

¹ We certainly have no wish to "inveigh" against ministers or magistrates of the early days of our colonial history; but, on the contrary, are sincerely sorrowful that stern justice and duty require us to tell the whole story — or at least so much of it as exonerates the Cape. It *must* be done. The explicit exhibit of the real fact is neither "to the dishonor of God," nor prompted by any "contempt of government." Neither have we the remotest desire to clear the Cape by the discredit of other settlements. If the Cape *has* been from the very first distinguished by its liberal feeling, its sons may, and surely ought, to claim for it the credit. Peculiar circumstances over which the people at large had no control, had at this time introduced a sad state of

ordered "that Nicholas Upsall," the alleged "instigator," of all this mischief, "be carried out of the government, by Tristum Hull, who brought him."¹

things and involved a sad necessity. The regular ministry at Sandwich had been interrupted — for Mr. Leverich was too conscientiously humane for the times, and had been *virtually* banished. Those who had supported him now sought, as best they might, to worship quietly, if not in the former place of public worship, in private houses. But it was manifestly most difficult to do or say any thing that might not be regarded constructively "contempt of government," a "disturbance of public worship," or "abusing the minister" who was authorized by government. Even *refraining* from doing or saying — simply staying away from the worship in which a large portion of the people could no longer conscientiously join, was visited with fines from which the most worthy, peaceable, and influential citizens were not entirely exempt.

¹ This was indeed a pitiable case. UPSALL was a member of the Boston church, and a very old man. Disapproving of the "Quaker persecution," he had been arrested, fined £20, and banished on the charge of having "reproached the magistrates and spoken against the law." Thus banished from the Massachusetts Colony, he went to Plymouth, for he *must* go *somewhere*; but there, alas! the people were forbidden to entertain him; and now, his extremity having moved the compassion of a Cape man transiently in Plymouth, the poor wanderer was permitted to accompany the stranger, at least as far as Sandwich, on his return home. Here, too, he seems destined to find that the same laws are every where operative. However hospitably inclined are the people on the Cape, the commands of the Plymouth court must be honored, or those disposed to pity his condition must abide the penalty — and that no inconsiderable sum "for every hour's entertainment" given to him. The hospitality of the Cape was not denied him, for sincere compassion prevailed in the bosoms of many over the fear of fines, imprisonment, disfranchisement, whipping, or banishment. Still there is a law which is imperative, and that law must be enforced to its extent or Mr. Hull becomes a ruined man: a law exposing the master of any vessel in which a *Quaker* arrives (and Upsall is now technically a Quaker) to a large fine, and requiring him to give bonds with sureties to carry the outlawed man away — the outlaw to be committed to prison until the vessel

These troubles, as will be seen, were not here to end. Elizabeth, the wife of John Newland, was now summoned to court. Mr. William Newland, a prominent citizen, was, "for encouraging Thomas Burges" to let Christopher Holder, a Quaker, occupy his house, sentenced to find sureties for his own good behavior. Ralph Allen, "for entertaining such men, and for unworthy speeches," was also arrested and laid under bonds. Henry Saunders was arrested and committed. Edward Dillingham and Ralph Jones were also arrested; Jones was fined, and Dillingham was admonished. Burges expressed his sorrow for what he had done, and was released.

A controversy between the sachem Yanno, or Janno, and inhabitants of Yarmouth about lands, which the said sachem averred he never sold, engaged the atten-

shall be ready to sail. (Who will say that the law of South Carolina, in force against vessels coming into port with hands who are men of color, is without precedent?) Similar were the requisitions and penalties, whether the forbidden be "brought in by water or land;" and the being "a guide to him or otherwise," was constructively "bringing him in." That Upsall, and subsequently Holder, and even Wendlock Christopherson, or others, sought refuge on the Cape, only demonstrates the fact that here, more than elsewhere, was a tendency to the exercise of humanity — the law of kindness and a sense of justice and right prevailing. And if, as indeed proved the result, the Quakers began here to prevail, where before was no partiality for the peculiarities of the sect, and if, ultimately, the sympathies of not a few of those formerly the stoutest supporters of the government, and best pioneers of the colony, became enlisted in the Quaker interest, it but shows the correctness of that axiom, that "this is the ordinary consequence of pity and compassion for the sufferers." That has in every age proved a mistaken policy that attempts to enforce by statutes and penalties a uniformity of religious opinion, and that cruelly punishes those who appear to differ in doctrines or tenets — more especially where the proscribed are not, except by illiberal construction, disturbers of civil peace and order.

tion of the court ; inquiry was ordered to be made and a settlement effected, Mr. John Alden and Lieutenant Southworth being delegated to go to Barnstable and Yarmouth for the purpose. William Nickerson having "petitioned that his lands at Manamoiet be confirmed" to him, it was ordered "that the lands be viewed, and that he have a competency allowed him, the rest to be resigned by him to the government."

In 1658, Mr. Prince was again elected governor, and Mr. THOMAS HINCKLEY, of Barnstable, an assistant.¹ It was ordered by the court that "profaning the Lord's day by travel, carrying burdens, &c., be fined twenty shillings, or punished by sitting in the stocks four hours." Colonial troops were established. None were to vote in any election, or to fill any place of trust, who did not take the oath of fidelity.² Additional laws

¹ It falls not within our plan to mention the election of assistants other than those that belonged in this county. But we take pleasure in recording the fact to the honor of two men who were this year dropped from the Board of Assistants, that they were "omitted because of their opposition to the severe proceedings against the Quakers: they were Timothy Hatherly and James Cudworth." And yet "the Plymouth Colony was less intolerant than the Massachusetts."

² See this oath elsewhere. It was, in fact, a religious test. "He that did not conform was deprived of more civil privileges than a non-conformist was deprived of in the old country." The Quakers were few in number, and owe their increase to the intolerance of the authorities. The birth and quick growth of a neighboring colony especially, was indebted to the spirit of persecution which drove those of various opinions to better lands, in great numbers. "When a commonwealth," says Cotton, "hath liberty to mould its own frame, the scripture hath given full direction for the ordering of the same, and that in such sort as may best maintain the *euxia* of the church." This idea and that of those dominant at this period, was, that "the

against the Quakers were enacted. "The fanaticism of a new sect," says Mr. Baylies, "is always an overmatch for one that has been cooled and tempered by time."

A great earthquake in New England was noted this year; and the first instance of death by lightning within the colony occurred at Marshfield, July 31. Mr. WILLIAM PADDY, "sometime treasurer of the colony, and a deacon of the church at Plymouth, a man of large estate, of great influence and usefulness, and of much piety," died, and was buried in Boston, whither he had removed in 1651. He married Alice, daughter of Mr. Edmund Freeman, of Sandwich, in 1639, and had two sons, Thomas and Samuel.

The following document at this time appears on record:—

"A writing appointed to be recorded: Whereas there hath been some unhappy differences between the town of Yarmouth and their committees concerning some lands which they apprehended were formerly purchased of Janno, but through some neglect of theirs in not paying of the Indian for the said lands, have been of late denied by him to be sold, and the possessors molested: Mr. John Alden and Capt. Josias Winslow being ordered by the court to hear, and if it might be, determine such differences as were either between the English before mentioned or between the committees and the Indian, the town of Yarmouth having made choice of Mr. Edmund Hawes, Robert Denis, Ed. Sturgis, and Thomas Boardman, and empowered them to manage and issue their aforesaid differences, there

hangings are to be fashioned to the house, and not the house to the hangings. The state must be fashioned to the setting forth of God's house, which is his church, rather than accommodate the church frame to the civil estate."

being propositions made on both sides tending to a composure, yet they not fully closing their propositions, but referring it, by mutual agreement, to the abovesaid Mr. John Alden and Capt. Josias Winslow as umpires, to determine between them about the premises: We, the abovesaid John Alden and Josias Winslow, do determine as followeth, viz: That the charge of the purchase, as now agreed upon between us and Jano, shall be equally borne between the said committees and the town; and further, that the other six pounds, which is charges that the town have been at about this business, shall be four pounds of it borne by the town, and by Mr. Anthony Thatcher and Mr. Howes, twenty shillings apiece, and of this latter six pounds, old Mr. Crow to be excused; and that this be a final of all differences about the premises.

John Alden,

May the 14th, 1658.

Josias Winslow."

Another document is as follows:—"May, Anno Dom., 1658. "Witnesseth these presents, that Janno hath, the day and year above written, for and in consideration of six coats, six pairs of small breeches, ten hoes, ten hatchets, two brass kettles, the one of six spans and the other of seven, of Joanno's aforesaid spans, and one iron kettle of six spans, to be paid to him, Joanno, or his assignees, the one half moiety, by the first of August next ensuing the date hereof, and the other half moiety by the middle of May, which shall be in the year of our Lord 1659, bargained, sold, and confirmed unto Mr. John Alden and Mr. Josias Winslow, in the behalf of the townsmen of Yarmouth, all that tract and tracts of land, both upland and meadows, lying and being between the Bass Pond River and a river called by an Indian name Tamahappasuakou, by the English the Fresh River, and so along that river to the

great swamp at the head thereof, and from the westernmost end of the said swamp on a straight line through the land unto Stoney Cove River, with all the profits, perquisites, and appertenances thereunto or to any part or parcel thereof in any wise belonging, to have and to hold the said tracts of land to the town of Yarmouth forever, and to defend and save harmless from time to time the said townsmen of Yarmouth, and every of them, of and from all titles, claims, and molestations which shall be made by any Indian or Indians to the said tract of land, or any part or parcel of the same, at any time hereafter. In testimony whereof the said Joanno hereunto hath set his mark.

“The mark + of the said Joanno.

“In the presence of

Thomas Dexter,

The mark of — Josias, an Indian,

The mark of Nick, L, an Indian.”

Mr. Dillingham and Mr. Dexter, of Sandwich, were severally complained against by Peter, a Mashpee Indian, their horses having eaten his corn. The court, upon a hearing, directed that satisfaction be made. Sampson, the son of Mashantampaine, sachem, charged with “falsely accusing Mr. Prince,” was summoned to court. An agreement was had between the town of Barnstable and Pampmunnuk and other Indians about certain lands purchased in 1648, as will appear elsewhere. Leave was granted to Lieutenant Joseph Rogers to have meadows, purchased of the *Potanumaguitt* Indians, viz: of POMPO, the proprietor, and FRANCIS, the sachem: one portion called *Aquaquessett*, five acres; another portion at *Mattaquessett*, one and a half acres.

Peter Gaunt, Daniel Wing, Ralph Allen, Jr., and

William Allen, of Sandwich, arrested "for tumultuous carriage"¹ at a meeting of Quakers,"² were convicted, severally admonished, and fined twenty shillings. Lieut. Ellis, Stephen Wing, and Thomas Butler, also convicted and imprisoned, were released on paying the fees. Robert Harper, Ralph Allen, Sr., John Allen, Thomas Greenfield, Edward Perry, Richard Kerby, Jr., William Allen, Thomas Ewer, William Gifford, George Allen, Matthew Allen, Daniel Wing, John Jenkins, and George Webb, all of Sandwich, being summoned to court to give a reason "for not taking the oath of fidelity to the government," professed that they "held it unlawful to take the oath." Thomas Johnson and Mr. William Newland, also summoned, did not appear. George Webb "engaged to depart the government." The others were all fined. William Bassett, the constable, now represented that he was opposed in the execution of his office, and could not collect the rates or fines. So general had become the disaffection in the town with governmental affairs. Even a very large proportion of those not directly implicated, entirely disapproved of the course taken with their fellow townsmen. The extraordinary proceedings of the government had already enlisted on the side of the Quakers numbers who had before no Quaker affinities; and, pursued, such proceedings seemed destined to produce an almost entire revolution in the religious character of the town. In this posture of affairs, the following action was had

¹ "Tumultuous carriage!" A vocabulary suited to the times of which we write, were necessary to appreciate understandingly the comprehensive character of this and similar charges.

² "There is no evidence that a single Quaker was present. None of the persons mentioned in all this paragraph were professed Quakers at the time, though several of them afterwards became such."

by the General Court: "Whereas, in regard to the more than ordinary occasion that frequently falls out in the town of Sandwich, so that the constable is not able to discharge his duty, by reason of many disturb-ent persons there residing: Therefore be it enacted that a marshal be chosen for such service in Sandwich, Barnstable, and Yarmouth."¹

Under the law now prohibiting the frequenting of Quaker meetings, William Allen was fined forty shillings "for permitting a meeting at his house." Lieutenant Fuller of Barnstable, "for speaking reproachfully of the court, and saying the law enacted about minister's maintenance was a wicked and devilish law, and that the devil sat at the stern when the law was enacted," was fined fifty shillings.

And now, Oct. 2, after the following preamble, viz.: "The court having taken into serious consideration some signs of God's displeasure manifested by his afflicting hand on the country, — partly by his visitation of many families and persons with sickness and weakness, and partly by the unseasonableness of the weather for the ingathering of the fruits of the earth for our own food, and stover for our cattle; as also by letting loose as a scourge upon us those *frecting gangrene like doctrines*, and persons commonly called Quakers, and not hitherto so effectually blessing our endeavors as we have desired for preventing their infection and disturbance; as also by the too much prevailing of a spirit of division and disunion both in church and civil affairs, to the great dishonor of God and discomfort one of

¹ Some have it that the office of marshal was similar in dignity in the colony to that of United States marshal now; but it will be seen this was an office of limited jurisdiction, and created for an especial occasion. Lieut. Samuel Nash was chief marshal.

another,"—an order was issued for a fast to be observed throughout the colony.

Again, the difficulties existing at Sandwich being in hand, the following orders appear:—

"Whereas, the Governor, Mr. Thomas Prence, with some other of the magistrates, were appointed, and with full power authorized, by the court held at Plymouth in June, to make inquiry into and redress sundry grievances lying upon sundry the ancient inhabitants of Sandwich expressed in a petition for that end unto the Court, under the hands of sundry of them; the inhabitants therefore being assembled together August 27, 1658, and the matter being inquired into by the Gov. with the rest as aforesaid, and finding sundry of the inhabitants assuming power to act wherein they have no right so to do by reason of their non-legal admittance as inhabitants according to order bearing date the third of October, 1639, viz.: Ralph Allen, Sen'r, Thomas Ewer, Thomas Greenfield, Richard Kerby, Jun., Henry Saunders, Matthew Allen, John Jenkins, Daniel Wing, Stephen Wing: therefore ordered, that those men aforesaid, and every of them, shall henceforth have no power to act in any town meeting till better evidence appear of their legal admittance; nor to claim title or interest to any town privileges as town's men, according to the court orders aforesaid; this order also to take hold of any others besides, who shall appear to have no legal admittance as aforesaid.

"And for the better carrying on of affairs among them to the end of the court's granting the plantation, it is therefore ordered that no man shall henceforth be admitted an inhabitant of Sandwich or enjoy the privileges thereof, without the approbation of the church and Mr. Tho. Prince, or of the assistants whom they

shall choose ; according and to the same effect as is expressed in the aforesaid orders of the court, bearing date the third of October, 1639."

Moreover, at this court Robert Harper, Ralph Allen, Sr., John Allen, Ed. Perry, Richard Kerby, Jr., William Allen, Thomas Ewer, William Gifford, Mathew Allen, Daniel Wing, and John Jenkins, of Sandwich, for refusing to take the oath of fidelity, were fined each of them five pounds to the colony's use.

And now, at the December term, the marshal, George Barlow, of Sandwich, is found in trouble by opposition made to his official course: and the court ordered Mr. William Newland to "bring or cause to be brought his two *daughters* to the court to be holden in Plymouth the 1st Tuesday of March next, to answer for their abusing the marshal in the execution of his office." The following order was also issued to the marshal: "Whereas it is observed, that frequently divers of those called Quakers have repaired to Sandwich from other places by sea, coming in at Mannomett with a boat, which practices, if continued, the court conceiveth may prove a dangerous consequence, the court doth impower and authorise you, George Barlow, marshal of Sandwich, &c., that in case you shall have any intelligence of the arrival of any of those called Quakers at Mannomett or any place adjacent upon the coast within our jurisdiction, that you forthwith repair to such boats, requiring competent aid to go with you, and arrest any such boat or boats, taking their sails and masts from them, and securing them until some of the magistrates be acquainted therewith, and further orders be given you about the same; and likewise that you apprehend the bodies of all such Quakers as shall come in any such boats, or any other

Quakers you shall there and then find, and proceed with them as effectually as if you found them within the bounds of Sandwich or any other town within your liberties." It was also resolved "that a summons be sent for James Skiff to answer to such things as shall be objected against him in regard to traducing the law about refusing to take the oath of fidelity."

In 1659, Mr. Prince was again governor, and Mr. Hinckley, of Barnstable, assistant.

On the 8th of May, five men and one woman, belonging to the sect of Friends, were sentenced at Plymouth under a previous order of court to depart out of the jurisdiction by the 8th of June on pain of death! Though, as we have before suggested, they were treated with more consideration in the Plymouth Colony than in the Massachusetts, we are bound in faithfulness to record the above and preceding facts in regard to the course pursued against this people. We sincerely wish we had no occasion to pursue this painful subject further, and have been strongly tempted not to refer again to it. But the only excuse for such omission that we could possibly frame would be, that the severe enactments that were made from time to time do in an important sense form no part of the history of the Cape. Such apology, however, would not avail us; for, were it not the fact that several of the most prominent men in the government were from the Cape, still we are necessitated to refer to important events as they occurred — so far at least as to show what laws were extended over us. The voluntary action of these several towns, we may most confidently assert, will speak for itself and show that here Christian charity and humanity generally prevailed; and that the out-

side influence that attempted the enforcement of certain laws not approved by a great majority of the people, was not sustained by public sentiment.¹

Before we proceed farther, it may be proper to say, (what, indeed, common justice requires,) since the Friends are of necessity so particularly and often mentioned in connection with treatment at which the mind now recoils, and since Mr. Secretary Morton, in his

¹ Witness the fact, in the *Annals of the Towns*, that the Friends were generally exempted from the payment of rates for ministerial support, and were often elected to important offices. The fact also that the execution of oppressive laws was with great difficulty enforced, and that so many, especially in Sandwich, whose sympathies at the first were not particularly with the tenets of the Quakers, became involved in these transactions, tells what was the prevailing sentiment, and speaks well for the estimation in which the Quakers resident here were held. They were, in truth, ever among our best and most esteemed citizens, benevolent and kind, pure in morals, peaceable in their demeanor, and most deservedly honored.

We ought not to omit the mention that there were redeeming traits worthy of note in regard to the furious intolerance displayed against the Quakers in other parts of the colony. *All* were not approving the course pursued, although their remonstrances and opposition made themselves personally so unpopular that they, in turn, became virtually co-sufferers with the objects of their humanity — being suspected, avoided, omitted from positions of public trust, not allowed to hold office, and, in fine, disfranchised. Mr. JAMES SKIFF, the deputy from Sandwich, rejected by the General Court on account of his toleration, and others in this part of the colony with whom the public proceedings found little favor, were not left alone to experience the penalty of their liberality. ISAAC ROBINSON, the son of the celebrated Leyden pastor, was not only dismissed from civil employment therefor, but his name was stricken from the list of freemen, his course exposed to much censure, and his person to some indignity; causing him to take up his residence on the Cape among more congenial spirits. Mr. CUDWORTH and some other prominent men belong to the same category of proscribed citizens.

account of those transactions, has called them "a pernicious sect" that "sowed their corrupt and damnable doctrines in almost every town," that (whether they advanced certain sentiments then imputed to them, or did not, — which we can neither deny or affirm) their "Vindication," published at a later period, declares, "We believe the Scriptures of the Old and New Testaments to be of divine origin, and give full credit to the historical facts, as well as to the doctrines therein delivered, and never had any doubt of the truth of the actual birth, life, sufferings, resurrection, and ascension of our Lord and Saviour Jesus Christ, as related by the evangelists; without any mental or other reserve, or the least diminution by allegorical explanation." This is entirely opposed to some errors in doctrine imputed to them in the early state of the colony. We certainly have never known or found in their writings any thing at all tending, as if by *design*, "to gross blasphemy or atheism." Even Dr. Cotton Mather was constrained to say, in regard to the persecution of them, "If any man will appear in vindication of it, let him do as he pleases; for my part I will not."

There can be no doubt, however, that, although distinguished in later times for a peaceful and quiet spirit, this sect did at that time exhibit too much of the usual zeal of new converts for new creeds. Determined that *their* "light" should be comprehended by "darkness," their language was too often that of severe reproach and most bitter denunciation. Perhaps it would have been more in their usually mild terms of persuasion, had they been less persecuted. Governor Prince, it is true, could hardly be expected to allow himself to be called "a liar" and "a malicious man" while in the very exercise of his high authority and presiding in court, without

an effort to check the contempt.¹ Contempt of court has ever been deemed a high offence. Fortunate,

¹ The demeanor of some was, without contradiction, most audacious and provoking. Norton, for instance, in the General Court, used towards the governor most insulting language—"Thomas, thou liest; Prince, thou art a malicious man." On another occasion, "Thy clamorous tongue I regard no more than the dust under my feet. Thou art like a scolding woman." Again, in a letter addressed to the governor, he says, "Thomas Prince, thou hast bent thy heart to work wickedness, and with thy tongue thou hast set forth deceit. Thou imaginest mischief upon thy bed, and hatchest thy hatred in thy secret chamber; the strength of darkness is over thee, and a malicious mouth hast thou opened against God and his anointed, and with thy tongue and lips hast thou uttered perverse things. Thou hast slandered the innocent by railing, lying, and false accusations, and with thy barbarous heart hast thou caused their blood to be shed. . . . John Alden is to thee like unto a pack-horse upon which thou layest thy beastly bag. Cursed are all they that have a hand therein. The cry of vengeance will pursue thee day and night. . . . The anguish and pain that will enter thy veins will be like gnawing worms lodging betwixt thy heart and liver. When these things come upon thee, and thy back is bowed down with pain, in that day and hour thou shalt know to thy grief that prophets of the Lord God are we, and the God of vengeance is our God." This is but a specimen of the abusive language held towards the magistrates. It is clear that at the present day none of the highly respectable society of the Friends would justify or countenance such opprobrious language; nor would any of the other sects justify the measures pursued by the magistrates; for Christian charity and brotherly love have succeeded to misapprehension and aspersion. Mr. Baylies suggests as a further palliation of the course of the Puritans, that "those persons holding this language were not inhabitants, but invaders of the peace of a colony by coming from abroad to wage a war against the religion for which the Puritans believed themselves to have suffered much, and which was on this account the more endeared to them. Their laws, their government, their worship, were all denounced in no very civil terms, by strangers; their ministers and magistrates were reviled. To be called a 'liar,' while in the very exercise of his authority, presiding in court, was a contempt which, by any governor or magistrate, would be deemed a punishable offence even at the present day."

indeed, would it have been, if the hand of power had been laid more gently on the offenders; and if it had been deemed consistent with the ends of justice that they should pass without injury, as was permitted by the Pope of Rome to the Quaker who (in an effervescence of insanity, as the pope believed) had, even within the walls of the Vatican, denounced him as "antichrist" and as "the man of sin." After King Charles forbade further persecution of the Quakers, and the most obnoxious laws were repealed in Plymouth colony, we are told the Quakers became "the most peaceful, industrious, and moral of all the religious sects." Such was the immediate result of their being unmolested by penal laws.

The court this year commended such of the inhabitants of Yarmouth as were prompt to discharge their duties for the encouragement and support of the ministry, but censured the neglect of others and directed town meetings to be held to raise forty or fifty pounds; the levy to be made annually. — A law was enacted providing that "all Quakers and encouragers of them, all persons convicted of speaking contemptuously of laws, and such as are grossly scandalous, as liars, drunkards, swearers, &c., shall lose their freedom." — Again, the marshal at Sandwich who was opposed in the execution of his office, having called on Mr. Edmund Freeman, late assistant, for aid, and this having been refused, Mr. Freeman was fined ten shillings. Thomas Burges, Jr., suffered the same penalty. Edward Perry and Stephen Wing, charged with "abusive speech" towards the marshal, were fined twenty shillings each; as was also William Gifford "for affront." And in October, the following order was passed in General Court: "Foras-

much as this court findeth that our people of Sandwich called Quakers have had by them many papers and writings that are both false, scandalous, and pernicious to the government, these are, therefore, in the name of the state of England, to require George Barlow, marshal of Sandwich, to take with him a man or two, and repair to the house of Wm. Newland and Ralph Allen of Sandwich, and Nicholas Davis of Barnstable, to make search in any part of their houses, or in any chests or trunks of the abovesaid, or elsewhere, for any such papers or writings, and to return such as they shall so find, either to the court, or to the governor, or some of the assistants." Moreover, Thomas Ewer, "for his tumultuous and seditious carriages, and speeches in court," was sentenced by the court "to lie neck and heels during the pleasure of the court." It appearing that the said Ewer was "an infirm man," the matter was to be compromised "if he will be rid out of the colony."

Liberty having been granted, in June last, to Mr. Thomas Hinckley, Henry Cobb, Samuel Hinckley, John Jenkins, and Nathaniel Bacon, to view and purchase a tract of land at Saconessett, Mr. Thomas Hinckley and Richard Bourne were now appointed to arrange with the Indians for the same. William Nickerson was allowed his lands.

In 1660 Governor Prince and Mr. Hinckley were again in office. A tract of land—ten thousand five hundred acres—was set apart by the General Court for the exclusive use of the Indians of *Mashpee*. A grant and deed of this plantation was obtained for the purpose, through the influence of Mr. Rd. Bourne of Sandwich.

The council of war ordered that during any appearance of danger, a military watch be kept in every

town; the Dutch and French to be regarded as common enemies. It was also ordered by the court, that no foreign Indians shall be allowed to come to another tribe's plantation.

The colony does not appear to have had much experience hitherto in the evils of party contest at elections; for, at this time, the court "noticing that many do not appear at elections," either in person or by proxy, ordered that absentees be fined, unless some unavoidable impediment hinder their appearance. Whatever restrictions were imposed from time to time, it appears ever to have been conceded as the theory of our constitution now indicates, that the people are supposed to be wise enough to choose their own rulers, legislators, and statesmen. The selections made in early times were generally judicious. None aspiring to office, the best men were proposed; and, however reluctant they might be, they were expected, ay, required, as we have seen, to serve. At the time of our present writing, so progressive is the age, it is claimed that the people are not only wise enough to elect, but every one is competent also to be a legislator and statesman. Even the outcasts from foreign lands, as well as the respectable because moral and intelligent, are quickly enrolled side by side with the best informed and wisest—possessed of equal rights to control the destinies of the nation—fit dupes often for the party demagogue, whilst, it may be, the wisest, the best, and those who really have the greatest stake in society, though descended from men who through successive generations were pillars of state, are virtually, in a great measure, excluded from office—their very superiority of intellect, erudition, statesmanship, and moral culture operating, because of low prejudice or envy, as a disfranchisement.

The commissioners of the United Colonies recommended to the several General Courts to regulate the mackerel fishery; "conceiving *that* fish to be the most staple commodity of the country." Few, who have not investigated the subject, have at the present day an adequate conception of the importance of this branch of productive industry.

A parcel of meadow "formerly mowed by Mr. Leverich, the minister, and therefore called his land, at Mannomett," was granted by the court to Thomas Burges, Sr. Myles Black had also a grant of land at Mannomett. It was also ordered, "concerning the lands granted to the inhabitants of Eastham, lying from Yarmouth bounds to the lands of William Nicarson,¹ to the north bounds of the purchaser's lands, that Mr. Thos. Hinckley and Ensign Lumbert view the same and make report." Mr. Alden and Mr. Hinckley were also appointed "to purchase lands of Janno, sachem," in behalf of Barnstable. Liberty being granted to Mr. John Howland, Anthony Annable, Isaac Robinson, Capt. Nathaniel Thomas, Samuel Fuller, Abraham Pierce, and Peter Blossom, "to purchase lands at Saconessett and adjacent, March 5, of the previous year;" Mr. Samuel Hinckley, Lieutenant Matthew Fuller, John Cooper, Henry Cobb, John Dunham, and John Jenkins of Barnstable, and Samuel Fuller, William Nelson, John Morton, and Thomas Burman, of Plymouth were now added, June 4, 1661. It was also ordered that Mr. Thomas Hinckley, Richard Bourne, and Nathaniel Bacon "shall purchase all such lands as are yet unpurchased at Saconessett and parts adjacent, or any of those parts

¹ This name was generally so written; it is the name now invariably Nickerson.

out of Barnstable and Sandwich." It was also granted to Mr. Thomas Paine "to purchase land at Satucket, for his mill." Mr. Alden was also appointed "to purchase lands from the Indians at Mannomett."

The rate, this year, (commissioners' charge,) was,

Plymouth £2 6 3.	Taunton £2 2 1.	Rehoboth £3 15 7½.
Duxbury 2 2 1.	Yarmouth 2 2 1.	Eastham 1 14 0.
Scituate 3 15 7½.	Barnstable 2 6 3.	Marshfield 2 2 1.
Sandwich 2 14 7.		

A grant was made to Richard Bourne of Sandwich of a tract of land "on the western side of Pampaspised River, where Sandwich men take alewives; a long strip by the river side, for breadth from the river unto the top of the hill or ridge that runs along the length of it, from a point of rocky land by a swamp called Pame-toopauksett, unto a place called by the English Muddy Hole, but by the Indians Wapoompauksett; as also" (other strips, &c.) . . . "with liberty to take twelve M. alewives annually. Also lands at Mashpee," &c.

William Bassett of Sandwich, whose vocation as constable had been superseded by the appointment of Marshal Barlow, was fined ten shillings "for spreading false reports of the marshal."¹ A letter from Isaac Robinson, "containing certain scandals and falsehoods to the prejudice of the government, and to the encouragement of the Quakers who were liable to disfranchisement, was ordered to be enquired into." Captain James Cudworth, "for sympathy with the Quakers, and for letters sent to England," was bound over in the sum of five hundred pounds. Subsequently both Captain Cudworth and Isaac Robinson, were dis-

¹ Barlow, the sequel will show, was a bad fellow: Mr. Bassett was a most estimable citizen. The inference is left to the reader.

franchised, on the charge of being "opposers of the laws."¹ "George Barlow, the marshal, having accused John Newland of saying he (Newland) is holy as God is holy, and perfect as God is perfect," the matter being inquired into, and the language used not appearing to bear precisely that construction, Newland was discharged. Thomas Burges, Jr. for refusing to assist the marshal, was fined thirty shillings. Henry Dillingham, for the same default, was fined fifteen shillings. It appeared by the affirmation of Elizabeth Freeman, that Benjamin Nye had "instigated Jacob Burges to accuse Newland," said Burges fearing "that otherwise he could not have said Nye's daughter for a wife." Daniel Butler, "for rescuing a strange Quaker from the marshal, was publicly whipped." Thomas Butler and wife, "for turbulent conduct," were fined forty shillings. Joseph Allen, "for being at a Quaker meeting," was fined ten shillings. William Newland, "for entertaining a strange Quaker called Wenlocke Christopherson," was fined five pounds; and said Christopherson was ordered "to depart out of the government." Not complying, the said Christopherson was sent to prison, and afterwards was sentenced "to lay neck and heels." He was then "whipped and sent away."² The following persons

¹ It appears, by a subsequent entry on the Colonial Records, that "there was found to be some *mistake*" in regard to accusations against Mr. Robinson, which was the pretext for his being restored.

² Christopherson went to the Massachusetts colony, and there was sentenced to die; on which occasion he desired the court to consider what they would gain by his death. Said he, "For the last man you put to death, here are five come in his room; and if you have power to take my life from me, God can raise up the same principle of life in ten of his servants and send them among you in my room." He was first reprieved for a short time, and finally set at liberty on a promise to return to England.

were fined ten shillings each, October 2, "for being at Quaker meetings," viz.: Robert Harper and wife, John Newland and wife, Jane Swift, Matthew, William, Joseph and Benjamin Allen, William Gifford, William Newland and wife, the wife of Henry Dillingham, Peter Gaunt, John Jenkins, Richard Kerby, Sr., Richard Kerby, Jr., Obadiah and Dority Butler, all of Sandwich, and John Smith, and Deborah his wife, of Plymouth. Henry Howland, "for entertaining Quakers at his house," was fined four pounds.

In 1661, Governor Prince being in office, and Mr. Hinckley assistant, freemen were allowed to vote "by proxy"¹ in the election of magistrates, provided it be done in open town meeting, the court so ordering and enacting. Previous to this time, every voter was required to repair to Plymouth to exercise this right of franchise.

At the court in June, a loyal declaration was made in favor of King Charles II., who had been restored to the throne.

The colony sold for four hundred pounds sterling their territory on the Kennebec River, granted them by their last patent, taken in the name of William Bradford. This purchase originated the "Plymouth Company," as the purchasers and proprietors were called.

The General Court gave, June 4, to Mr. Richard Bourne, "a certain tract of land lying on the westerly side of Pampaspecite River, where Sandwich men take alewives; the land is a long slip lying by the river side; for breadth, from the river unto the top of the hill

¹ By this we understand, of course, the *deputy* chosen was the agent for the people in the subsequent general election.

or ridge that runs along the length of it, from a point of rocky land, by a swamp called Pametoopauksett, unto a place called by the English Muddy Hole, but by the Indians Wapoampauksett. The meadow is that which was called Mr. Leverich his meadow; . . . liberty, moreover, to take yearly twelve thousand alewives at the river where Sandwich men usually take alewives, to him and his heirs forever." Also, "meadow lying at Mashpee." Also "at Mannamuckcoy, with a little upland in it, the meadow lying between two little brooks, and the said meadow adjoining to the upland called by the Indians Auntaanta."

In October, the following proposition was sent to the four towns, Sandwich, Yarmouth, Barnstable, and Eastham, by order of the court, viz. :—

"LOVING FRIENDS: Whereas the General Court was pleased to make some propositions to you respecting the drift fish or whales; and, in case you should refuse their proffer, empowered me, though unfit, to farm out what should belong unto them on that account; and seeing the time is expired, and it falls into my hands to dispose of, I do, therefore, with the advice of the court, in answer to your remonstrance, say, that if you will duly and truly pay to the country for every whale that shall come, one hogshead of oil, at Boston, where I shall appoint, and that current and merchantable, without any charge or trouble to the country, I say, for peace and quietness sake you shall have it for this present season, leaving you and the Election Court to settle so as it may be to satisfaction on both sides; and, in case you accept not of this tender, to send it within fourteen days after the date hereof. And if I hear not from you, I shall take it for granted that you *will*

accept of it, and shall expect the accomplishment of the same. Yours to use,

CONSTANT SOUTHWORTH, *Treasurer.*"

Richard Child, by order of Court, was required to desist from the erection of a cottage at Yarmouth. William Allen of Sandwich was again before the court at Plymouth, complained of for entertaining Christopher Holder, a Quaker; and a similar charge was presented against William Newland and Peter Gaunt. Lodowick Hoxby, "for not assisting Marshal Barlow," was fined twenty shillings; also, "for refusing and neglecting" a similar call from the marshal fines were imposed on Joseph Chandler, Richard Smith, and Nathaniel Fish.

In 1662 Mr. Prince was again governor, and Mr. Hinckley assistant.

Another earthquake was experienced in New England, January 26; and yet another, January 28.¹

A tax was laid on all liquors sold at retail, and a fine of five pounds was imposed on any persons who should refuse to take the oath of fidelity.

Some suspicion of Indian plots prevailing, King Philip, alias Metacomet, came into court, and renewed the treaty of friendship agreed on by himself and his

¹ In the annals of New England five earthquakes are mentioned as "great;" that of 1638, 1658, 1663, Oct. 29, 1727, and Nov. 18, 1755. But nineteen more are also mentioned as having occurred, viz.: Oct. 29, 1653, 1660, 1665, 1668, 1669, 1670, 1705, Sept. 5, 1720, 1732, Feb. 6 and Dec. 7, 1737, June 3, 1744, July 8, 1757, March 12 and Nov. 1, 1761, 1766, 1769, 1771, Nov. 29, 1788, May 8, 1804, Nov. 9, 1810, Nov. 28, 1814 more severe than any other since 1755, and others have been reported since. But, with the exception of the five called "great earthquakes," and that of 1814, the vibrations were so slight as to escape general notice. — *Judge Davis.*

brother in 1656. The treaty was witnessed by FRANCIS, *Sachem of Nauset*.

Two of the late judges of the deposed and decapitated king, Colonel Goffe and Colonel Whalley, having fled from England just before Charles II. was proclaimed, had arrived in Boston July 27, 1660. They heard of the accession whilst on shipboard, in the Channel, after leaving London; and expected, of course, to be condemned as regicides. Whalley had been Cromwell's lieutenant general, and Goffe a major general. They waited immediately on Governor Endicott, and were courteously received. At length, however, it became necessary for them to seek other quarters, and they finally retired to Connecticut, and from thence to Hadley,¹ in Massachusetts, October, 1664, where another of the regicides, Dixwell, joined them. During their concealment at New Haven, and subsequently in the cave at West Rock, they were much sought for, requisition being made for them unavailingly. The colonies were all suspected of sympathy with them, and of being accessory to their concealment.

The following document appears under date of June

¹ They were there concealed many years in the house of Rev. John Russel, father of Rev. Jonathan Russel, the elder, of Barnstable. A large mass of manuscript of the three judges (for Dixwell soon joined them) was for a long time in the possession of the younger Rev. Jonathan Russel of Barnstable, but was finally irrecoverably lost. Falling into the hands of a collateral branch of the family, the papers were abstracted from the attic, by domestics, as needed in kindling fires, until not one vestige of those valuable documents remained! Mrs. Nathaniel Otis of Sandwich, a daughter of the first Rev. Jonathan Russel, and who died in 1774 at an advanced age, at the house of her son-in-law, Mr. Edmund Freeman, in Mansfield, Ct., had spent much time in examining those papers, and from her President Stiles obtained much of his information for his history of the three judges.

10, 1662: "A deposition. A purchase made of Osa-mequin at Satucket, of six miles, from the centre in the weir in the river, by Mr. Constant Southworth and Lt. Nash, for the enlargement and accommodation of the town of Barnstable."¹ Another. "This testifieth that when Capt. Standish set out the Indians' land, Napoietan, the sagamore, told Mr. Winslow and the rest of the company, that he gave the one half of that land to Tacomacus; so he and his wife and children have enjoyed it ever since." Signed, HENRY COBB. June 10, 1662. Further, "Mr. Alden and the major are appointed by the court to set out the bounds betwixt Barnstable and Sandwich, and to end any differences that exist betwixt these towns and the Indians about grants of lands." Again, "concerning a difference between Quachatissett and Josias, of Nauset, sachems, the court order Mr. Alden and Mr. Hinckley to hear and determine the same." The agents of Yarmouth appeared at court "to debate and have determined a difference about whales." "A mare having been killed by Indians at Mashpee, belonging to John Allen of Sandwich, Paupmunnuck and Keenecompsett agreed to pay £14 for the same." "A further enlargement was granted to Barnstable, and Rd. Bourne and James Skiff were

¹ It were impracticable to insert every document to which reference is made. Some of the more important may appear in the town annals hereafter. It would be equally inconvenient, in this part of our work, to designate localities by their present names. And in regard to names of places or persons, we may as well, once for all, say, we are constrained in general to follow the record; for, although often variable, the place or person intended will be understood. To attempt uniformity in the writing of *Indian* names and thus to propose an orthographical standard, would require, what none now have, an accurate knowledge of Indian orthoepy. Besides, by marking the variations and changes that have been made, the reader has a better view of the past.

appointed to settle the bounds of Nauquatnumacke's land." Kenelm Winslow, Jr. was fined ten shillings for riding on the Lord's day, although he pleaded necessity. The strictness observed in regard to the sacredness of holy time is forcibly illustrated by the fact that, in another part of the colony, Lieutenant Wyatt was before the court, in 1658, and "reproved for writing a note on business on the Lord's day, in the evening *somewhat too soon.*"

The rate for the public charge of the country, this year, was,

Plymouth	£11 2 0.	Taunton	£10 2 0.	Marshfield	£10 2 0.
Duxbury	6 14 6.	Yarmouth	10 2 0.	Rehoboth	15 3 0.
Scituate	18 3 0.	Barnstable	11 2 0.	Eastham	8 2 0.
Sandwich	10 2 0.				

Mr. Prince was again governor, and Mr. Hinckley assistant, in 1663.

It should here be noted that after the departure of Mr. Leverich from Sandwich, there was no regularly settled minister in the town for some years. Mr. Thomas Tupper, known more prominently as Captain Tupper, undertook, although not acceptable to the stanch friends of Rev. Mr. Leverich, to conduct religious services in the meeting house; and, strange to say, though he was without ordination and withal somewhat fanatical and ranting if we are to credit tradition, and often in difficulties with his neighbors, was in favor with the government, (of which few of the respectable inhabitants could at that time boast,) so that no objection to his officiating was made by court influence. His prophesyings, as is evident from the numerous fines imposed "for not attending meetings," were neither approved or countenanced by large numbers of the

best people in the town, nor by a majority of church members. At last, however, weary of dissension, the meetings that had been kept up by the opposition, embracing those accused of favoring the Quakers, were discontinued, a compromise to secure a better understanding and more quiet neighborhood having been effected. The arrangement was that Mr. Richard Bourne, a man of great moral worth, should assist in keeping up public religious services on Lord's days; and that the one of these two prominent laymen who should have a majority of adherents present at meeting should be the minister for the time being. This state of things continued until Rev. JOHN SMITH became, about 1658, the regular successor of Mr. Leverich, remaining the pastor for many years.¹ "After the settlement of Mr. Smith, Messrs. Bourne and Tupper turned their attention to the Indians."²

Other important changes touching the ministry on the Cape had already been effected, or were made the present year. The former additions were Mr. John Mayo, Mr. William Sargeant, and Mr. Thomas Crosby; the later, and of the present year, were Rev. THOMAS WALLEY and Rev. THOMAS THORNTON. Mr. Walley, the minister at Barnstable, it has been said, "was settled about ten years after Mr. Lothrop's decease;" and some have it that there was no minister regularly settled in Barnstable in all the *interim*. The facts, however, that we shall present hereafter in regard to Mr. Mayo, Mr.

¹ Mr. Smith had previously officiated for some time in Barnstable; but, it is said, "being disliked by Mr. Hinckley, left and went to Long Island, then to New Jersey, from thence returning to Sandwich."

² More particular mention of Messrs. Bourne and Tupper, except as their names occur in connection with public transactions, must be deferred to the annals of Mashpee and of Sandwich.

Sargeant, and Mr. Smith, are indisputable, and will show that they severally officiated at Barnstable for a time. It is not for us to decide peremptorily the position which they severally held; suffice it to say, Mr. Walley, who was highly distinguished, filling a large space in society, became an inhabitant of Barnstable, and was the pastor of the church in that town in 1663;¹ and Mr. Thornton, also distinguished, was, about the same time, the successor of Mr. Millar² in the pastorate

¹ Mr. Walley came over June 24, 1662-3, in the ship "Society," Captain John Pierce. Born in England, 1616, he was for a time settled in London as rector of William's and Mary's, Whitechapel. Invited to a charge in Boston, he gave the preference to Barnstable—a preference which it requires discrimination and a better knowledge of the history of the Cape than is enjoyed by many non-residents at the present day, to appreciate.

² The Rev. JOHN MILLAR came to Yarmouth probably in 1646. The precise time of his advent here it is impossible to state with certainty; nor, in the absence of records, is it practicable to mention the exact time of his departure. It is, however, evident that he was, with his family, in Yarmouth early in 1647, and remained until 1662 or 1663. From various sources isolated facts are gathered which show that he was educated at Cambridge, England, and graduated A. B. 1627. He is mentioned by Mather in the "first classis" of those who had received ordination and exercised their ministry previous to leaving England. He came over in 1634; was some time in Roxbury, one of the elders of the church; from 1639 to 1641 was in Rowley, assistant to Mr. Rogers and also town clerk; in 1641, October 25, was waited on by messengers desiring his services for the church at Woburn, but they "found Mr. Rogers loth to part with him;" in September, 1642, was, with Mr. Phillips of Watertown and Mr. Thompson of Braintree, proposed as a missionary to Virginia, but declined "because of bodily weakness;" in 1642, December 7, his name appears on the list of grantees of Newbury; and from Johnson's "Wonder-working Providence," we learn that "for the assisting of the tender flock of Christ at Rowley the Rev. John Millar did abide among them for some space of time, preaching the word of God, till it pleased the Lord to call him to be the pastor of the church at Yarmouth in Plymouth patent." In

at Yarmouth. Both gentlemen are reckoned by Mather's "*Magnalia*" "*de viris illustribus*," of the "*third classis*."¹ Mr. Mayo, after being "teaching elder" at Barnstable, was engaged as a "religious teacher" at Eastham, and finally was succeeded by Mr. Thomas Crosby.

It was enacted by the court that every town shall choose three or five selectmen, subject to the approval of court, for the better managing of town's affairs. These selectmen were empowered to hear and determine all cases of debts or differences existing between any within their respective townships, the amount involved

1663, March 18, being called to preach at Groton, he had lands assigned to him in that town, where he continued to exercise his ministry to the time of his death, which occurred June 12, 1664. We have very little material for a biographical notice of him; but from the occasional mention made of him, it is readily inferred that, though a man of "low stature," he was of high literary attainments and of exemplary piety — an able and devoted servant of Christ. Of his family also, but few particulars are known. He brought with him from England his son John, b. March, 1631–2; a daughter Lydia was born to him in Rowley 12 mo., 2, 1640; and, at Yarmouth, Susanna, May 2, 1647, and Elizabeth, Oct. 13, 1649. The Roxbury church records, in the handwriting of "the Apostle Eliot" say, "1647, month 6, day 8, Susan, daughter to Mr. John Millar, once an elder of our church, afterwards at Rowley he preached, and then was called to Yarmouth, baptized." John, the son, m. Margaret, daughter of Gov. Josias Winslow, Dec. 24, 1659, and by her had three sons and eight daughters, and d. at Yarmouth June, 1711, aged 79 years, having been much in public life, sustaining with honor offices of responsibility. Gov. Winslow mentions especially in his will, "Hannah Miller, my grandchild, now living with me."

¹ The "*third classis*," as arranged by Mr. Mather, was made up, to use the language of the "*Magnalia*," of "such ministers as came over to New England after the reëstablishment of the Episcopal church government in England, and the persecution which then hurricanoed such as were non-conformists unto that establishment."

not exceeding forty shillings; also to adjudge all differences occurring between English and Indians. It was further enacted that they shall have power to issue summons in his majesty's name.

A petition was presented to the court "by the sons and sons-in-law of Wm. Nickerson, for liberty to settle a township at Manamoiett;" signed by Wm. Nicarson, Sr., Robert Nicarson, Nicholas Nicarson, Saml. Nicarson, John Nicarson, Wm. Nicarson, Jr., Joseph Nicarson, Robert Eldred, Trustram Hedges, and Nathl. Covell.

Mr. Hinckley, Thomas Dexter, Jr., and Constant Southworth were appointed to settle the bounds between Sandwich and Plymouth. Liberty was granted to Mr. Edmund Freeman, Sr., "to accommodate himself and the children of William Paddy deceased, with lands." It was ordered "that Sacconessett shall, for the present, belong to Barnstable."

The troubles at Sandwich were not yet laid. Edward Perry was before the court "for a railing letter" addressed to the same. Nehemiah Besse "for drinking tobacco at the meeting house in Sandwich on the Lord's day," was fined five shillings.

Mr. Prince and Mr. Hinckley were again chosen to their respective offices in 1664, and this year, King Charles II. issued a commission empowering appointees "to hear and determine complaints and appeals, in all cases," within New England, and "to proceed in all things for settling the peace and security of the country." In letters which his majesty caused to be addressed to the government of New Plymouth, were "expressions full of royal grace and favor, and promises to preserve all its liberties and privileges both ecclesiastical and civil without the least violation," and enjoining loyalty,

affection, and obedience on the part of his New England subjects. The commissioners were recognized, and an agent appointed by the Plymouth Colony government to confer with them, making respectful professions of fidelity and allegiance. This commission had been appointed in consequence of repeated complaints by Quakers and others; and the people now became convinced of the necessity of decisive action, and certainly showed much address in avoiding the real merits of the case, and evading what was expected of them. They doubtless felt great relief when the commissioners returned to England.

A comet, very large and brilliant, excited much attention from November 17 to February 4; "the blaze of it," says Morton, "did turn to all quarters of the world; it was no fiery meteor caused by exhalation, but it appeared to be sent immediately by God to awake the secure world." Hutchinson observes, "The people of New England were not alone in the opinion that comets were omens of great evils. The troubles from the king's commissioners, with the death of the governor of Massachusetts, tended to confirm the people in this opinion."

The following action was had, the record of which bears date February 7, 1664-5: "Whereas a motion was made to this court by Rd. Bourne, in the behalf of those Indians under his instruction, as to their desire of living in some orderly way of government, for the better preventing and redressing of things amiss amongst them by meet and just means, this court doth therefore, in testimony of their countenancing and encouraging to such a work, approve of those Indians proposed, viz.: Paupmunnuck, Keencomsett, Watana-matucke, Nauquatnumache, Kanoonus, and Mocrust, to

have the chief inspection and management thereof, with the help and advice of the said Rd. Bourne, as the matter may require; and that one of the aforesaid Indians be by the rest installed to act as constable amongst them; it being always provided, notwithstanding, that what homage is accustomed legally due to any superior sachem be not hereby infringed."

There was granted to Josias Cooke, "three score acres of land and four acres of meadow and an island at a place called Potanumatucke," and, June 11, the following order was issued: "To Mr. Freeman, Rd. Bourne, Mr. Dexter, James Skiff, and Wm. Bassett, greeting: — Whereas, Nauquatnumacke hath complained of wrong done to him in his corn, by horses, in Sandwich, these are to request you to take some serious and effectual course that the poor man may have his corn preserved, &c. . . . Attest, NATIL. MORTON, *Clerk*."

Mr. Thomas Dexter appears not to have been upon the most amicable terms with his neighbors, since he is often found complaining of injury inflicted by the town of Sandwich "to *his* right of lands."

"In the controversy between Mattaquasson, sachem of Mannamoiet, and John Quason his son on the one part, and Wm. Nicarson on the other part, about lands bought by said Nicarson of the Indians, Nicarson was defaulted, and the lands reverted to the colony." Robert Harper was publicly whipped, by order of court, "for disturbing public worship at Sandwich and Barnstable," and Richard Willis was set in the stocks "for ribaldry."

CHAPTER XIII.

Doings of the Royal Commissioners. — Concessions in favor of Religious Freedom. — Grant of Lands at Monomoyick, and attendant Difficulties. — Religious Instruction of the Indians. — Remarkable Events. — Schools. — Difficulties with the Indians apprehended. — Settlement of Ministers required. — The Fisheries. — Free Schools. — Indians give in their Adhesion.

MR. PRINCE being governor and Mr. Hinckley an assistant, in 1665, the Royal Commissioners submitted to the Colonial Court held at Plymouth, February 22, propositions designed to secure the administration of justice; the right of every man of competent estate and civil conversation, though of opinions differing from others, to be admitted as a freeman, and to have liberty to choose and to be chosen to office; the right of the enjoyment of religious privileges; and the observance of due respect for the rights of the Crown. The answer of the court was so generally in compliance with the propositions submitted, that the next year the king expressed his royal approbation, and gave assurances of his continued regard.

Governor Prince, who had these seven years been excused from a residence in Plymouth, removed thither, a house being provided for him, and it being deemed, by the court assembled, indispensably necessary for the more convenient administration of justice that the governor should reside at the seat of government. He thus ceased to be an inhabitant of the Cape. It had been, as we have before intimated, enacted in 1633.

“that the chief government be tied to the town of Plymouth, and that the governor for the time being be tied there to keep his residence and dwelling ; and there also to hold such courts as concern the whole.”

The court enacted that corporal punishment shall be inflicted on any who deny the Scriptures — an ineffectual way of convincing the sceptical of their error, as may well be supposed ; also, that no minister shall leave his charge without first deferring the question of duty and privilege to the magistrates, who were empowered to compel congregations to support their ministers.

It was also enacted that “assistants in the government, of long standing, shall be allowed £20 per annum for their services, and that the charge of their table shall be defrayed ; also that those who are newly elected shall be allowed the charge of their table only.” This was, indeed, a remuneration for services rendered, or to be rendered, that did not alarmingly tend to corruption and lust for office. In fact, offices were, in those days, not sought, as has already been demonstrated ; but incumbents were carefully selected for office and pressed into service. In a year or two, however, it was found necessary, that honest men might be *able* to serve, to increase the salary.¹

The wheat crop, which had been injured more or less for several years, was now more seriously affected than ever with blasting and mildew.²

¹ In July, 1667, £50 annual salary was allowed to the assistants, and the charge of their table. And it was then found necessary to enact that such as were chosen to the office and should refuse to serve, should be fined £5 for the use of the colony.

² The next year, the injury was still more serious, so that at length, after repeated attempts to perpetuate the cultivation of that valuable grain, the inhabitants on the sea-coast became discouraged and relinquished further trials, at least for some years.

This year, April 10, purchases were made from the sachem of Monomoyick of valuable lands near Potanumaquutt, with the view to a settlement. A grant was also made, this same year, by the General Court, to Thomas Hinckley, John Freeman, Nathaniel Bacon, and associates, of lands at the same place. This led to some difficulty between the purchasers and the claimants under the grant.¹

William Nickerson being "charged with illegally purchasing lands at Mannamoiett of the natives, submitted himself, June 7, to the clemency of the court." He was allowed one hundred acres at or near his house, to be laid out by Barnard Lumbert, Marshal Nash, and Joseph Howes. The rest of the land the court granted to Mr. Thomas Hinckley, Mr. John Freeman, Mr. William Sargeant, Mr. Anthony Thacher, Nathaniel Bacon, Edmund Hawes, Thomas Howes, Sr., Thomas Falland, Sr., and Lieut. Joseph Rogers, in equal proportions, the said William Nickerson to have an equal share with them in the meadow lands. It was further ordered that Mr. Hinckley, Mr. Freeman, and associates, pay to said Nickerson whatever he shall prove to have been paid by him in the purchase of said lands. The court also granted liberty to Mr. Hinckley, Mr. Freeman, Mr. Sargeant, and the rest, "to purchase the tract adjacent at Mannamoiett, to the extent of one hundred acres the share of each." It was ordered that all said lands appertain to and shall be considered within the liberties of the township of Yarmouth. The penalty of £5 for every acre illegally purchased by William Nickerson of the Indians was remitted.

¹ The *right* of the Indians to the soil seems to have been still acknowledged.

Mr. Hinckley, Richard Bourne, and Nathaniel Bacon were appointed by the court to purchase land of the Indians in behalf of the town of Yarmouth. Richard Bourne and William Bassett were also appointed to view and purchase some lands desired by Edmund Freeman and Thomas Butler, lying towards Saconeesett.

In 1666, Governor Prince being in office, and Lieutenant John Freeman of Eastham, and Mr. Thomas Hinckley of Barnstable, being assistants, Mr. Richard Bourne of Sandwich had audience before the governor and others, in reference to the religious improvement of the Indians under his instruction. The conference was held at Mashpee, then called Mashipaug. Mr. Bourne argued, among other things, that the Indians should be permitted and encouraged to enter into church fellowship. This was allowed at a subsequent period. The Indians denominated a church an "*inclosed garden*."

The Colonial Court directed that three sessions be held each year for the trial of causes civil and criminal; the court to be composed of the governor and at least three magistrates. Appeals from the decisions of selectmen were allowed. Selectmen were required to present to the court all persons who absented themselves from public worship.

A census was ordered in each town of all male inhabitants, from sixteen to sixty years of age, capable of bearing arms. Laws were provided also for the support of public worship; and towns that neglected to have a minister, were to be taxed by court for the support of public worship. A penalty was also imposed on officers legally chosen by any town, who refuse to serve.

The fisheries of Cape Cod were regulated by law, and a duty was laid on all fish caught, for the support of a free school in some town within the jurisdiction of the court.

The confederation between Plymouth, Massachusetts, and Connecticut Colonies was renewed.

The country was claimed and possessed by independent princes, whose right to the lordship and sovereignty thereof had been acknowledged by the kings of England. The settlers were obliged to purchase, or to appear to have purchased, for valuable considerations, not only the soil, but the dominion, lordship, and sovereignty of those princes. Hence Mr. Josiah Winslow, governor of Plymouth in 1676, said, "I think I can truly say that before these present troubles with the Indians broke out, we did not possess one foot of land in this colony but what was fairly obtained by honest purchase of the Indian proprietors." The provisions in treaties that the Indians should not sell their lands without permission from the court, were justified by the fact that the King of England, as was the custom of other princes of Europe, had laid claim to countries from discovery, and had granted to certain of his subjects this part of the country.

"Quachattasett, the Indian sachem of Mannomett, came into court, and declared that Nanumett and Nocroft, two other Indians, have a part in Mannomett Old Field. He engaged not to make sale thereof from the said Indians; and that they shall have liberty of wood and timber for firing and other uses out of the bordering woods. It was mutually desired by the said Indians that this record be made for their security."

At the court at Plymouth, October 31, William Nickerson was arraigned for scandalously reproaching the

court, in a letter to the governor of New York; and he was bound over in the sum of £500. His sons-in-law, Robert Eldred and Nathaniel Covell, being privy to the letter and consenting to the same, were held in the sum of £100 each. Due acknowledgments were subsequently made and entered upon the records, and £30 of the £50 in which he was amerced was abated. A grant was made to Ensign Bernard Lombard, John Finney, and Isaac Robinson, of fifty acres each, of land at Pausatucke Neck; also six acres of meadow. A grant of one hundred and fifty acres to Mr. Edmund Freeman, Jr., was confessed, with the meadow adjoining to the bounds of Sacconessett, and unto a place called Tassacust; the purchase made of Quachatassett and Sepet his son. A grant was also made to John Doane of one hundred acres at Pottannumaquett Neck, and six acres of meadow. Also one hundred acres to Lieutenant Ellis, at Maconsett Neck. Also meadow to Ezra Perry, near Mr. Freeman's land. Also to James Skiff, forty acres on the east of the Herring Brook at Manno-mett.

In 1667 Mr. Prince was again elected governor of the jurisdiction of New Plymouth, and the Cape furnished three of the seven assistants, viz.: Mr. Thomas Hinckley, Mr. Nathaniel Bacon, and Mr. John Freeman. So inconsiderable were the aspirations for this latter office, that it was provided that "if any who are or may be elected to the office of assistant refuse to serve, they shall be fined £5 for the use of the colony."

This year a comet appeared.¹ As illustrative of the

¹ Says Morton, "In the beginning of March there appeared a sign in the heavens in the form of a spear, something thicker in the midst than at either end, of a whitish bright color; it was seen several nights

times, in its influence — we mean its moral effect on the people — it is worthy of mention; for Mr. Neal says “it excited the magistrates to promote a reformation of manners.”¹ We are not aware, however, that it occasioned any uneasiness in the minds of the people on the Cape. In fact they were, so far as we can learn, at no time distinguished by any undue development of the marvellous. Even “the roar of lions” which quite early discomposed the nerves of their more vigilant and observing neighbors in other parts,² seems never to have caused any great alarm here.

together in the west, about an hour within the night; it stood stooping, one end pointing to the setting of the sun, and so settled downward by little and little, until it quite vanished and descended beneath our horizon. God awaken us that we be not heedless spectators of his wonderful works.”

¹ The Universal History, in copying this account, says, “Some dreadful event was apprehended;” but adds, “the only thing of that kind that happened was a renewal of the persecutions against the Baptists and Quakers.” “Severe,” says Judge Davis in his notes, “but not altogether unmerited.”

² In 1621, certain persons at Plymouth, Goodman and Brown, were greatly alarmed by noises which they supposed to be “the roaring of lions.” Gookin testified, “For beasts, there are some bears, and they say some *lions* also; for they have been seen at Cape Ann.” And Woods, in the sixth chapter of the New England Prospect, published in England only nine years after the settlement of Boston, gives the following account: “Concerning lions, I will not say that I ever saw any myself; but some affirm that they have seen a lion at Cape Anne, which is not above ten leagues from Boston. Some, likewise, being lost in the woods, have heard such terrible roarings as have made them much aghast, — which must be either devils or lions, there being no other creatures which use to roar, saving bears which have not such a terrible kind of roaring. Beside, Plymouth men have traded for lion skins, in former times. But sure it is that there be lions on that continent, for the Virginians saw an old lion in their plantation, who, having lost his jackal, which was wont to hunt his prey, was brought so poor that he could go no further.”

The council of war, in "this time of danger from the Dutch and French, our common enemies," embraced Richard Bourne, William Bassett, and James Skiff, Sr., of Sandwich; Anthony Thacher, Edmund Hawes, and Thomas Howes, of Yarmouth; Thomas Hinckley, Nathaniel Bacon, and John Chipman, of Barnstable; and Lieutenant Freeman, Josias Cooke, and Richard Higgins, of Eastham.

A grant was made, June 5, to Thomas Butler of Sandwich, of "a neck of land called Tassacausett, lying near to Mr. Edmund Freeman's land—being divided by a creek or brook on the southerly side—land bought of an Indian called Charles, alias Pampmuntt;" and "in reference to two necks of land purchased by Mr. Thomas Dexter, Jr., the court granted him one hundred acres of upland thereof,—ordering that the balance shall appertain to the minister's house at Sandwich."

Thus the affairs of the Cape moved on in their usually quiet way, leaving very little that is pertinent to our history to be recorded further of the present year, save that some slight exhibition of discontent among the settlers at Manomoiet is evidenced by the court records. "Nicholas Nicarson" was before the court, July 2, "for opprobrious words" uttered against Mr. Thomas Thornton, the minister, alleging that a certain sermon preached by Mr. Thornton "was half of it lies," &c., &c.; but he, acknowledging his error and engaging to make a public confession of his fault in the meeting house at Yarmouth, was released. Subsequent difficulties, however, are mentioned—the resistance to Thomas Howes, constable, and affronts offered him, &c., &c., in which numbers of the name of Nickerson were involved, leading to severe penalties; all which suf-

ficiently indicate an exasperated feeling on the part of the family, doubtless growing out of the disallowing of their transactions in purchases made of the Indians. But we forbear to enter more fully into particulars.

In 1668, July 7, the following record appears. "The court confirmeth unto Ensign Barnard Lumbert, John Finney, Sr., and Isaac Robinson, a certain neck of land, with the meadow adjoining thereunto, commonly called Passuntaquanuncke Neck, on the south sea, heretofore granted to them; bounded westerly by a river which divides between the said neck and Quenaumett, and by the next river easterly, together with a strip of land coming up from the said neck to the highway which leads from Barnstable to Saconeesett, for their common and outlet; being part of those lands purchased by Thomas Hinckley, Nathaniel Bacon, and Richard Bourne, mentioned in a deed of sale bearing date December 2, 1667, signed by Quachatasett, Sepitt, and Acomont, sachems. Also this court confirmeth unto Mr. Thomas Hinckley, Nathaniel Bacon, and Richard Bourne, all the residue or remainder of the lands, both uplands and meadow, contained within the said deed of sale, from the aforesaid river easterly, extending to Wequasett, according to the bounds mentioned in the abovesaid deed of sale, in right of the court's former grant unto them, as also in right of the court's grant unto William Clarke, bought by them, the said Thos. Hinckley and Nathl. Bacon." We also find that Francis, sachem of Nauset, was fined £10, "for uncivil and inhuman words to Captain Allen, at Cape Cod, when cast away." General musters of the military were "ordered to be held on the second Wednesday of October, 1669, at Plymouth, Yarmouth, and Taunton." The colony

complained of annoyance and interruption of the fisheries on the part of Massachusetts, and an order was passed, remonstrating with the General Court of the Massachusetts Colony against the intrusion.

The year 1669 was barren of interest. There is little to mention, save that a vessel was cast ashore on the Cape, and that a controversy arose between Thomas Moore, the claimant and owner of the cargo, and Samuel Doty and others of Eastham, in regard to the salvage. An agreement was finally concluded Oct. 29, and sanctioned by the court, touching the moneys recovered from the wreck.

The death of Capt. Thomas Southworth, Dec. 8, caused every where much regret.¹

In 1670, a stringent law was enacted touching the support of the institutions of religion. Every town was required to be constantly provided with an "able, learned, and orthodox minister or ministers, of good conversation, to dispense the word of God;" and these were to be "suitably encouraged and sufficiently supported and maintained by the inhabitants" of the several towns. In case of any neglect longer than six months, the court was to provide for public worship by ordering "a competent allowance for such minister according to the estate and ability of the town," and the town was to be assessed for the same. There appears also at this time the record of a sentence and its execution upon a prominent citizen, which was, "that he be

¹ Thomas Southworth came over in 1622, with his brother Constant, and mother, Alice, (who married Gov. Bradford,) and filled a large space in the history of the colony. He was some time governor of the territory of the Kennebec Patent.

publicly whipped for reviling" one of the ministers. Another "for reviling the ministry" was fined.

The lands at Cape Cod harbor received the special attention of the General Court. These lands, which have often, even to the present time, been the subject of legislation, appear to have been reserved, not because of any appreciable value attached to the soil, but on account of the value of the fisheries, as the preamble to the act at this time intimates: "Whereas the providence of God hath made Cape Cod commodious to us for fishing with seines," &c. The fisheries were duly regulated, and a duty imposed upon mackerel, bass, and other fish taken by the inhabitants of the Cape — a *duty* to be enforced, mark! — not a *bounty*, as might have been more reasonably expected — a duty of 12d per barrel.

Another provision of law at this period that was one of great importance, destined to have a great influence on the future character of the colony, was that making provision for the establishment and support of schools. It is greatly to the credit of our fathers that this subject received so early much of their attention. So intimately connected with it are the vital and permanent interests of society, that it may well be said that to their foresight in this respect we owe in a large measure our prosperity. Contemporary legislation out of New England furnishes no such evidence of the high estimation in which the blessings of education were held. And it certainly lessens none of the importance that is attached to Cape Cod in its early days, that as it is entitled to the honor of being the part on which the first known discoverer of Massachusetts set his foot, and also the spot where the vessel moored which brought over the first colony permanently plant-

ed in New England, and which for a considerable time continued to receive the impress of their feet — its shores made vocal with thanksgiving and praise ; and was emphatically to the early pilgrims what Egypt had been to the ancient Israelites — the place of sustenance — for hither, as thither, the people “went down to buy corn ;” so it was the source from which revenue was to be derived for furnishing the means of wholesome intellectual growth. Under a grant by the government of the colony at this time, the profits accruing to the state, by the duty on fishing with nets or seines at the Cape for mackerel, bass, herring, &c., were appropriated to a *free school* to be established at Plymouth.

The bounds between Sandwich and Plymouth were so settled, “that in case a south-west line shall cut off any part of Herring River, to deprive the town of Sandwich of the benefit of the alewives, the said line shall run more westward, to clear the said river unto the town of Sandwich.”

The Indians under King Philip were now again suspected, by reason of “frequently assembling and various movements, of meditating a general war.” Messengers were despatched to them to reconnoitre and make discoveries ; also to Massachusetts to confer with that government upon the course proper to be taken. The government of Massachusetts was, for the present, averse to hostilities which the Plymouth government intimated they should be “obliged to begin unless they could otherwise bring the Indians to reason.” A commission with armed men met the Wamponoag sachem at Taunton, soon after,¹ and he consented to deliver

¹ The interview was held in the meeting house ; and whilst Philip and the Plymouth commissioners with those from Massachusetts who

up to the English all his arms, to be kept by them as security against war; at the same time, stoutly denying having harbored any thoughts of hostile movements against the English. The bond obtained under such circumstances, it might well be supposed, would not be worth much.

In 1671, the code of laws for the government of the colony was revised and ordered to be printed, under the title of "The Book of the General Laws of the inhabitants of the jurisdiction of New Plymouth." Under these laws, or "General Fundamentals," as they were called, provisions were made, as has been suggested, "for the better improving of fishing for mackerel, &c., at the Cape," — penalties were imposed for taking them at other than specified times, licenses were to be granted, &c., &c. It was now "ordered that the charges of the free school, £33 per annum, shall be defrayed by the treasurer out of the profits arising from the fishing at the Cape until such time as the minds of the freemen be known concerning it."

At this time, also, "certain persons belonging in Hull petitioned the government for permission to fish at Cape Cod for mackerel, they having discovered a new method of fishing with nets by moonlight."

The Indians being required "to engage themselves to fidelity, viz., those of Paomet, Nausett, Sachatuckett, Nobscussett, Mannamoyick, Weequahutt, and Matta-

had lent their friendly aid as mediators, were negotiating within, the Plymouth army were without on one side of the building and a large company of Indians on the other, the eyes of the suspected gleaming with indignation, and the solemn faces of their accusers resolute and determined. It is not strange that Philip, when at liberty, spurned the engagement, and that no more arms were delivered up.

kesett," the "engagement was signed, April 10, by MR. JOHN and QUAGUAQUANSUKE, of *Paomet*; [SAMPSON, of *Nausett*, is sick at this time;] JOHN QUASON TASWOTT, of *Mannamoyick*; SACHEMUS and LITTLE ROBIN, and WAHWOONETTSHUNKE, SABATUBKETT, SAMPSON of *Nobscussett*; KATENAT, alias KEENCOMSETT, of *Mattakeesett*; [HUMPHREY, of *Weequahutt*, is not come.] "All," says the record, "subscribed at Plymouth, in June."

The record further says, "Those that engage for *Mashpee*, *Satuit*, and *Wahoiett*, are Kannunnays. ASIUWOOHANITT, for *Cokashoise* and *Washetasso*; AKOMONT, for *Ashimuit*; HOPE, alias POHUNNA, for *Sakonesset*; WEBACOMETT, QUECHASSETT, for *Mannomet*."

Men were pressed for the public service, viz.: from Sandwich ten soldiers, Yarmouth nine, Barnstable ten, Eastham five.

The opinion continued to gain ground that difficulties were to be apprehended from the peculiar feeling and bearing of the Indians at Pokanoket; and, August 23, the Plymouth court informed the council of Massachusetts of their determination, on certain contingencies, to make war on the great sachem. The aid of Massachusetts was earnestly solicited, inasmuch as it must be regarded as a common cause; but the Massachusetts council were at the same time plainly told that if they chose to hold back, the Plymouth Colony would begin the war alone. The Wamponoags (Pokanokets) had, like the once powerful Narragansetts, resisted all attempts to convert them to Christianity, although, under Massasoit and Alexander, they continued in friendship with the English, and kept inviolable the league of 1621. But the present sachem at Mount Hope, it was supposed, was now able to muster at least seven hundred warriors. The Indian had exchanged

the rude bow and arrow, to a great extent, for the musket of the white man; and, it was very naturally thought that he sighed for the freedom of his earlier years — his proud spirit chafed at being hemmed in by rival powers who he feared would ultimately exterminate his race unless the pale-faces should be expelled from the country — his thoughts intent on revenge, notwithstanding all his professions to the contrary.

It so happened that the sachem with his chief men arrived in Boston the same day that the before-mentioned communication from Plymouth was received. The state of things was investigated by the Massachusetts council, and Philip's representations were such that the governor and council of Massachusetts determined that there did not appear sufficient grounds for the commencement of hostilities against him. The nature of the sachem's subjection to the government of Plymouth was considered, and, September 8, the Massachusetts government wrote to the governor of Plymouth Colony, "We do not understand how far he hath subjected himself to you; but the treatment you have given him, and proceedings towards him, do not render him such a subject that if there be not a present answering to summons there should presently be a proceeding to hostilities; and the sword once drawn and dipped in blood, may make him as independent upon you, as you are upon him."¹

¹ Notwithstanding that in treaties from time to time, the Indians have acknowledged themselves subjects to the King of England, they seem not to have comprehended the meaning of the term. They ever retained an idea of independency to which English subjects had no pretence. The "Six Nations" would never allow themselves to be *called* subjects. *They* would go no further than to call the great king their

Whilst at Boston, Philip very readily consented to a new treaty, engaging "that he would enter into no quarrel with the Plymouth Colony until he had first addressed himself to the Massachusetts for advice and approbation." Mediators met at Plymouth, consisting of gentlemen from the Massachusetts and Connecticut Colonies, and matters were there accommodated, Philip and his attendants signing the following articles : —

"1. WE, PHILIP, and my council, and my subjects, do acknowledge ourselves subject to his majesty, the King of England, and the government of New Plymouth, and to their laws.

"2. I am willing, and do promise to pay unto the government of Plymouth £100, in such things as I have, but I would entreat the favor that I might have three years to pay it in, forasmuch as I cannot do it at present.

"3. I do promise to send unto the governor, or whom he shall appoint, five wolves' heads, if I can get them, or as many as I can procure, until they come to five wolves yearly.

father. When the letters from Plymouth to the Massachusetts government were read to Philip in Boston, he replied, that "his predecessors had always been friendly with the Plymouth governors, and that an engagement to that end was made by his father and renewed by his brother, and, when he took the government, was made by himself; but it was only an agreement for AMITY, not for *subjection* any further, as he apprehended the case." He desired to be shown a copy of the engagement, and requested the governor of Massachusetts to procure it for him. He averred that he "knew not that he and his were *subjects* to the Plymouth government. *Praying Indians,*" he said, "were subjects, and had officers and magistrates appointed for them, but he and his people had no such thing with them, and therefore were not *subjects.*"

“4. If any difference fall between the English and myself and people, then I do promise to repair to the governor of Plymouth to rectify the difference amongst us.

“5. I do promise not to make war with any, but with the governor’s approbation of Plymouth.

“6. I promise not to dispose of any of the lands that I have at present but by the approbation of the governor of Plymouth.

“For the true performance of the premises, I, the said sachem Philip of Pawkanauket, do hereby bind myself and such of my council as are present, ourselves, our heirs, our successors, faithfully. In witness whereof we have hereunto subscribed our hands the day and year above written.

“In the presence of the court, and divers of the gentlemen of the Massachusetts and Connecticut.

“The mark **P** of PHILIP, *Sachem, &c.*

The mark **£** of *Uncompau.*

The mark [of *Wotokom.*

The mark **7** of *Samkana.”*

No transaction of importance between the English and the Indians followed this, for several years. The union between the three colonies which had for some time been interrupted by some misunderstandings that were now healed, was renewed; they were to meet once in three years only, unless extraordinary occasions should arise; and the proportion of men for any general service was settled for fifteen years to come, as follows: Massachusetts one hundred, Plymouth thirty, Connecticut sixty.

At this time a family of ancient consideration in the

county,¹ is first prominently introduced to our notice, and, singularly enough, on this wise:—"John Otis was

¹ Of the preliminary genealogy of this family we here submit as follows:—

1st Gen. JOHN OTIS, born in Barnstable, Devonshire county, England, 1581, came with wife and children to Hingham in 1635. He is styled yeoman. His house was burned March 15, 1646; his wife Margery d. June 28, 1653; he removed to Weymouth and contracted a second marriage; and d. May 31, 1657, aged 76, leaving a widow who, in 1663, was mentioned as surviving. His children were John, b. in Devonshire, 1620; Margaret, who m. Thomas Burton of Hingham, and d. 1670; Hannah, who m. Thomas Gill of Hingham; Anne; and Alice. [It has been supposed by some that Richard, who was admitted freeman at Boston in 1655, was a son of the above; but he is not named in John's will. This Richard settled in Dover, N. H., and was there killed by the Indians in 1689. His son Stephen was killed at the same time, and his wife and infant b. 1688-9 were captured, carried to Canada, and sold to the French. The priests educated the child in the Romish religion, and baptized her Christina. The mother m. Mons. Robitail of Montreal and lived to the age of 90. The daughter m. Mons. Le Braw and had two children. In 1714, she, becoming a widow, returned to New England, abjured the Romish faith, and m. second Captain Thomas Baker of Northampton, who had himself been taken by Indians, at Deerfield, in 1704. She survived in Dover till 1773. See Gov. Burnett's letter to a Romish priest, occasioned by her trials. Besides this daughter, Richard, who m. three times, first, Rose Stoughton, second, Shuah, widow of James Heard, and third, Grizett Warren, had children, viz., Richard, who m. Susanna, had a grant of land in Dover in 1694, and was wounded 1696; Stephen, who m. Mary Pitman, 1674, killed as above; Solomon, b. 1663, d. young; Nicholas, killed July 26, 1696, when the Indians in ambush fired upon the people returning from meeting, at which time also his brother Richard was wounded, and Nicholas, Jr., was captured and carried to the Penobscot; Experience, b. 1666; Judith; Rose; and Hannah, b. 1687, and killed 1689. Descendants of the above Richard 1st are yet living in New Hampshire, Maine, and elsewhere. These are also descendants of Richard 2d, who was wounded—he being the only one of the name of Otis who was not killed or the children. This last Richard had Rose, Richard, Rebecca, Stephen, and

fined forty shillings for selling cider." At what precise time Mr. Otis came to Barnstable, it is difficult to de-

Nicholas, the last b. 1701, the year the parent died. Few families suffered so much from Indian hostilities. Richard 1st was one of those dissatisfied with the Dover church because of the Quaker persecution, the severity of which drove off many who at first merely sympathized with that people in their afflictions; and he was fined "for not attending meeting," 1663, as also his wife and servant-maid. The fines imposed on him and wife were thirteen each, of five shillings each, per day, for thirteen days' absence. His son Richard became a Quaker. There is little doubt that John 1st, Richard 1st, and Robert of Connecticut, were of the same stock, as will be seen in our note, in the *Annals of Barnstable*.]

2d Gen. JOHN, s. of the above John 1st, b. 1620, first in Hingham, then in Scituate in 1661, then in Barnstable, finally returning to Scituate, leaving in Barnstable his son John, m. Mary Jacob, daughter of Nicholas, 1652, and d. January 16, 1683. He had Mary, baptized 1653, who m. Capt. John Gorham, Feb. 24, 1674; Elizabeth, who m. first Thomas Allyne, Oct. 9, 1688, and second David Loring, July 20, 1699; John, b. 1657 in Hingham, and settled in Barnstable—the distinguished "Col. John;" Hannah, 1660; Stephen, 1661, known as "Capt. Stephen," who m. Hannah Ensign, 1685, daughter of John who fell in "the Pawtucket fight" under Pierce, 1677; James, 1663, who settled in Weymouth, and joined the Canada expedition under Phips, was at Port Royal, and finally killed in an attack on Quebec; Joseph, 1665, who m. Dorothy Thomas of Marshfield, was judge of Court of Common Pleas, 1703–14, representative 1700 and 1713, removed to New London 1721, and d. 1754; and Job, 1667, who m. Mary Little, resided in Scituate, and d. 1758, aged 91.

3d Gen. COL. JOHN of Barnstable, b. 1657,—a man of distinguished talents, of powerful wit, great affability, sagacity, prudence, and piety,—representative 20 years, commander of the militia of Barnstable county 18 years, *first* judge of probate 13 years, chief justice Court of Common Pleas, and of his Majesty's Council 1706, 21 years; m. Mercy Bacon, daughter of Nathaniel, July 18, 1683, and d. Sept. 23, 1727, aged 70. His children were Mary, Dec. 10, 1685, who m. Little; John, Jan. 14, 1687; Nathaniel, May 28, 1690; Mercy, Oct. 15, 1693; Solomon, Oct. 13, 1696; and James, June 14, 1702.

termine with accuracy. This much, however, is evident : he was here at *this* time, and both he and a son of the

4th Gen. JOHN, b. 1687, son of Col. John, graduated at Harvard College 1707, and m. Grace Hayman of Bristol, R. I., 1711. He was representative or member of council from 1747 to his death, May 4, 1758. He was also king's attorney. He had John, 1714, who m. Temperance Hinkley, settled in Barnstable, and d. 1792, having issue, John, Dec. 17, 1742, who d. early ; John, Feb. 19, 1743, who m. Hannah Churchill, settled at Plymouth, and d. 1798, having had three daughters, one of whom m. Solomon Hinckley, also a son John who d. at Plymouth 1822, and sons Hayman, Oct. 7, 1747, who d. infant, and Hayman, March 8, 1748.

NATHANIEL, b. 1690, second son of Col. John, and brother of the above, was a prominent man, and settled in Sandwich. He was register of probate many years, and d. Dec. 1739. He m. Abigail Russel, daughter of Rev. Jonathan Russel who was ordained at Barnstable 1683. She was a remarkable woman — as says President Stiles in his "History of the Three Judges of King Charles I.," "She was every way a woman of superior excellence, of exceedingly good natural abilities, possessed of natural dignity and respectability, of considerable reading, and extensive observation." She survived her husband till March 30, 1774, residing with her son-in-law, Edmund Freeman, in Mansfield, Ct. The children of Nathaniel were Abigail, Aug. 19, 1712, who d. infant ; Abigail, Dec. 10, 1713 ; Nathaniel, April 16, 1716, who d. early ; Martha, Dec. 11, 1717, who m. Edmund Freeman of Sandwich, a graduate of Harvard College 1733, Aug. 7, 1736, whose son was Hon. Nathaniel Freeman of revolutionary memory, who d. Sept. 20, 1827, aged 87, the revered parent of the compiler of this History ; Nathaniel, Sept. 8, 1720, who joined the body of troops under Ad. Vernon, which in 1740 took Porto Bello and destroyed its fortifications, attending which service was so extraordinary mortality, that, of one thousand New England men, less than one hundred returned, he perishing among the many ; and Jonathan, April 30, 1723, who m. and resided first at Newport, major, then in Middletown, Ct., where he d. 1791.

SOLOMON, b. 1696, third son of Col. John, graduated at Harvard College 1717, m. Jane Turner of Scituate, was register of deeds, county treasurer, justice of the peace, &c., and d. Jan. 2, 1778, — had Jane, Dec. 10, 1725, who d. young ; Mary, 1727, d. early ; John,

same name were still here in 1678, the former possessed of valuable property which was long known as "the Otis-estate." The father returning to Scituate, the son remained, from whom descended men who like himself were prominent in public life, several of whom were illustrious and whose nativity and honors are associated with the Cape.

In 1672, the laws, hitherto in manuscript only, were, for the first time, printed, and distributed to the towns. The General Court ordered the military to pay attention to their preparations for defence ; now apprehend-

Sept. 24, 1729, d. early ; Mercy, 1731, d. early ; Solomon, Jan. 1, 1732 ; Mercy, 1735, who m. Adine Hinckley, Dec. 16, 1762, and d. Feb. 19, 1793 ; and Amos, June 14, 1737.

Col. JAMES, b. 1702, the youngest son of Col. John, m. Mary Allyne, whose father had removed to Wethersfield, Ct. "She was a woman of superior character." Several of the issue became distinguished in public life, and will be noticed particularly in a more advanced stage of our History. The children of Col. James were James, Feb. 5, 1725, "the patriot," graduated at Harvard College 1743 ; Joseph, March 6, 1725-6, "general ;" Mercy, Sept. 14, 1728, "the historian," who m. Gen. James Warren ; Mary, Sept. 9, 1730, who m. John Gray ; Hannah, July 31, 1732 ; Nathaniel, July 9, 1734, who d. young ; Martha, Oct. 9, 1736, d. early ; Abigail, June 30, 1738, d. early ; Samuel Allyne, Nov. 24, 1740, graduated at Harvard College 1759 ; Sarah, April 11, 1742, d. young ; Nathaniel, April 9, 1743, d. April 30, 1763 ; and a daughter who d. soon after birth.

Of the father of these, Col. JAMES OTIS, we present an admirable likeness taken from a painting by Copley — now in the possession of one of the descendants resident in New York. We have taken much pains and encountered expense that we can ill afford to secure a correct representation of the venerable patriot, — not alone because he will by and by occupy a prominent place in the present History, but for the reason that this is the most ancient portrait extant of any in this country bearing the family name. See notice of the sons of Col. Otis, as also biography of himself, in future pages.



Dr. me James Otis

Lith. by L. Grzekier, Boston.

COL. JAMES OTIS.

Printed at J. H. Bufford's.

B. 1702. D. 1778.

From a Portrait by Copley



ing difficulties with the States General of the United Belgic Provinces and others.¹

A *contested* election was still a thing unknown; and fines were necessary to secure acceptance of office, whether in General Court or elsewhere. Lands had been again purchased of the Indians at Monomoyick, June 19, for an enlargement of settlement; but this and preceding purchases made without grant from the General Court conflicting with the right claimed by persons to whom a grant had been made in 1665, a compromise was effected, Mr. William Nickerson, the purchaser from the Indians, agreeing to pay to Mr. Hinckley and his associates a valuable consideration for the relinquishment of their claim. This was done July 3, and a conveyance was made to Mr. Nickerson, not only of the privileges conferred by the grant aforesaid, but also of all the lands which Mr. Hinckley, John Freeman, Nathaniel Bacon and associates, had themselves purchased under it. Thus Mr. Nickerson's title to lands purchased in contravention of the grant was made valid. This arrangement was confirmed by the General Court, and the settlement of Monomoyick progressed without impediment. "Sandwich, being straitened for commons, applied to the court for permission to purchase more lands;" and John Freeman and Richard Bourne were "allowed to purchase at Manomet Old Field." Thomas Butler of Sandwich purchased of Quachatasset and Nauumett "lands near the Cedar Swamp, on the side of the path towards Sandwich, — the path which goeth from Nauumett's land or planting field to Break-Heart Hill, or Salt Water Pond; also

¹ War was proclaimed in Massachusetts, May 28, against the Dutch, in consequence of the king's declaration of war published in England.

land being the neck that shoots into the Herring River Pond, — the biggest neck of land." SEECUNK and his two sons, laying claim to Scorton Neck, as their father's lands, sold "the end next to Barnstable, or the Sandy Beach," &c., "to Barnstable men." The sale was also confirmed by Quachatasset, sachem of Mannomett. Sacconessett was authorized by the Court "to make good and wholesome orders" for its governance and security.

Gov. Prince, who had continued in office to the present time, was again reelected, 1673, but died in April,¹ and JOSIAS WINSLOW was, June 3, elected his successor.²

This year, the court saw fit to order that no shipment of fish caught at Cape Cod shall be made, unless an account of the same be rendered first to the authorities. It was also enacted "that Indians may be worked for debt; that drunken Indians shall be fined and whipped; that idle Indians shall be bound out to labor; and that, for any theft, they shall restore fourfold."

¹ Gov. THOMAS PRINCE (*Prence* he wrote his name) filled a large space in the early history of the colony. His influence was great in this part of the colony, where he became an early settler and for a long time resided. Mr. Prince's salary was, on his removal from Eastham, in compliance with the requisition of the court, voted £50, (not a very lucrative emolument,) and a residence was provided for him at the public expense. For a more particular account of the governor, as well as other prominent men, citizens of the Cape, see the *Annals of the Towns*.

² Gov. Josiah Winslow was son of Gov. Edward Winslow, and the first of the governors born in New England.

CHAPTER XIV.

The Indian War. — Its Progress. — Great Sacrifice of Life and Property. — King Philip slain. — Distress of the Colonies. — The Cape vindicated. — Irish Sympathy. — The Acquisition of Mount Hope. — Severe Laws against the Indians. — Commission from England. — Select Courts. — Oath of Fidelity. — Charters vacated.

IN 1674, Gov. Josiah Winslow again in office, it was ordered that "the names of all freemen in each town shall be inscribed on the town records; and that none shall be presented to the court to take up their freedom unless they have the approbation of the major part of the town, certified under the clerk's hand by the deputies."

The year is memorable on account of the difficulties in which the colony is being plunged by its determined course against the Indians. A renegade Indian, having circulated reports of hostile intentions on the part of Philip, was, before the truth of these reports could be investigated, found drowned, and circumstances seemed to indicate that he had died by the act of others. That he was probably put to death by some of Philip's chief men, and perhaps by Philip's sanction, will appear in the sequel.

The court having ordered "that Manomoyick, Pao-met, and Satucket be included in the town of Eastham," it was further ordered "that all other places of like capacity shall belong to particular townships, as the court shall see meet." Mr. Hinckley, Mr. Freeman, and Mr. Bourne were requested by the court "to do what

they can towards settling the differences between Mashantampaine and the towns of Barnstable and Yarmouth." An Indian, "Hoker, was condemned for theft to be sold and sent to Barbadoes." A grant of "lands at Pinguine Hole River" was made "to Mr. Smith, teacher of the church at Sandwich." And Joseph Burge of Sandwich was convicted of "abusing the watch, trying to take away their guns," &c., and fined £5 6s.; and, being otherwise "turbulent," was still further fined.

The Indians on the Cape now renewed their covenant with the government, through their several sachems, chiefs, or head men, viz.: by LAURANCE and FRANCIS, acting for *Nauset*; RICHARD and Little ROBIN, for *Saquatuckett*; HERCULES and SAMSON, for *Nobscussett*; WASNECKSUK, for *Mannumoyett*; PAULE, for *Weequahutt*; KEENCOMSETT, for *Mattacheesit*; ASHAWAHAM, for *South Sea*; and POMPAQUIN, alias SCIPPAGUE, for *Mannomett*: renewed "for themselves and their neighbors."

At the June court, *Tobias* (who was one of Philip's chief counsellors) and the son of Tobias, with another Indian, having been arrested on suspicion of being the murderers of *Sausamon*, the Indian found dead in the pond at Middleboro', were convicted and executed. The circumstances of the case, the manner of trial, and the justice of the deed, we leave to the historian of the war that ensued.¹ Suffice it here to say, that this

¹ This Indian, John Sausamon, had left the service of Philip in 1674. He was a Massachusetts Indian by birth, his parents being "praying Indians," in *Matteapan*, (Dorchester.) His parents being Christian converts, John had been instructed by the missionary and teachers, and learned to read and write. He, however, abandoned his friends in 1662, and repaired to Mount Hope, and engaged in Philip's employ, being probably adopted by the tribe, at least living

affair precipitated at least a crisis that was terrible for the whole of New England. Philip regarded the execution of his friends as an unpardonable outrage. He was ordered to Plymouth to explain his conduct, but refused to go, and took no pains either to refute the report made by Sausamon or to deny his being privy to Sausamon's death. The whole tribe, indeed, were exasperated by the execution of their three friends.¹

with them twelve years. His knowledge of reading and writing made him of use to Philip as a scribe and interpreter. He had doubtless often heard matters of state discussed. It were indeed strange if he had not heard the Indians speak of their grievances; and not at all improbable that they had in his hearing, when indulging in their sympathetic complaints, spoken of a resort to war as a thing that might be necessary. Perhaps they were preparing for it. May be they were determined. But at all events, Sausamon's course had become odious to them. If the report he had made was false, they had reason to detest him. If true, they could but regard it as a betrayal of confidence and an abuse of hospitality. If he had been regarded and treated as one of their own people, it was treachery and treason. He was found dead, as we have said above, at Assawumpsit Pond in Middleboro'. It was charged that Philip had authorized the infliction of the penalty for the treason.

¹ Philip did not believe that he was summoned to Plymouth for any good purpose. He could not but remember how his elder brother and predecessor in the sachemdom had been seized and his mighty spirit crushed. It is said that he had never ceased to sympathize with the lofty indignation which was enkindled in Wamsutta's proud breast by his being carried a prisoner to Marshfield. Nor could he otherwise than remark the wondrous change from the time when Massasoit, his father, received from the first Plymouth governor the salutation of a kiss, seated in state upon cushions in the governor's house and claimed as the friend and ally of King James. Ordered from pillar to post; regarded as a rebel if he dared to delay the least compliance with what he considered the imperious demands of the civil magistrate; he who before, when commanded by the governor of Massachusetts to come and make a treaty, had proudly replied to the messengers, "*Your governor is only a subject of King Charles II. of*

An army was soon in the field; one hundred and fifty-eight men from the Plymouth Colony, five hundred and twenty-seven from the Massachusetts, and three hundred and fifteen from Connecticut; this being the relative proportion under the confederation. And it was ordered by the court "that every man shall take to meetings on Lord's days his arms with him, with at least five charges of powder and shot." Also, "that whosoever shall shoot off a gun on any unnecessary occasion, except at an Indian or a wolf, shall forfeit 5s. for every such offence, until further liberty be given." It was further ordered "that every town be garrisoned for the security of families." The requisition upon each town for a proportionate number of men in the service against the Indians, had, of course, been made preparatory to the general movement already mentioned; and in this the Cape bore a part. Men were impressed for the war: in Sandwich, sixteen; Yarmouth, fifteen; Barnstable, sixteen; and Eastham, eight. Again, in December, of the soldiers ordered to be raised, eleven were required of Sandwich, ten of Yarmouth, thirteen of Barnstable, and nine of Eastham. Sanguinary conflicts had already ensued, some of those called out had fallen, and provision was especially made by the court for "Aptha, widow of John Knowles of Eastham, lately slain in the service."

Departing from the plain and simple habits of earlier times, it was now ordered "that four halberts attend

England; I shall not treat with a subject. I shall treat only with *the king, my brother*. When Charles of England comes, I am ready," was now sullenly indignant. The iron was already driven into his soul. He gathered his warriors around him, the council fires were lighted, and his thoughts ran upon the alternative which he saw he could no longer avoid.

the governor and assistants on election days, and two during the continuance of the court."

It may be proper here to say that early in the progress of the war, it became necessary for Mr. Church, then living near Mt. Hope, to communicate with the authorities at Plymouth. Access to Plymouth by an inland route was rendered impracticable; he therefore took passage in a sloop bound to Barnstable, and was landed "at Sugkonesset," in that part now called Wood's Hole. From thence he made his way to Plymouth, without danger, reaching the latter place whilst the General Court was in session, to their great surprise and joy. He returned by the same route, a canoe being paddled by two of the Sugkonesset tribe, by the way of the Elizabeth Islands, to his home. At a subsequent period, when the squaw sachem, Awasshonks, had given in her friendly adhesion, and was ordered, with all her subjects, men, women, and children, to repair to Sandwich, as a security for her being beyond the reach of hostile influences, Mr. Church repaired again to Sandwich, agreeably to his promise, to meet her and make arrangements for her braves to take part in the war on the side of the English. Authorized to engage what force he deemed necessary, he secured a guard on his arrival at Sandwich, and soon succeeded in finding the Indian queen and her entire party in company with neighboring friendly Indians, on the shores of Buzzard's Bay. *Charles*, an Indian residing in these parts, who could speak English well, was of assistance to him, and procured for him due deference and respect from all the natives assembled. It was on this occasion that Mr. Church was so highly honored by the *great supper* served up by the Indians upon wooden trenches: first, baked bass; second, fried

flounders and eels ; third, shell-fish of various kinds ; and, after supper, the illumination from "a mighty pile of fat pine," around which a circle was formed, the dance commencing and resulting in a great accession of soldiers as auxiliaries to the English in the war.

The war affected this part of the colony comparatively little, except in the way of greatly increased expenses and the necessity of furnishing a full quota of men for the service ; for, although the Wampanoag rule embraced the Cape, the Indians here adhered to their former friendship, either remaining neutral or assisting, so that their position was in fact a defence to Sandwich and the towns below. Still, the Cape, being required to furnish men for the war, suffered its share of personal loss ; numbers of its brave soldiers perished. Especially did the fall of Capt. Pierce of Scituate and nearly all his force of fifty English and twenty friendly Indians, near Pawtucket, R. I., in the early part of the war, deal a sad blow to the Cape towns. Indeed, both Hubbard and Mather well remark, "It was the severest calamity that befell the Plymouth Colony during this bloody war." Barnstable lost six men ; Yarmouth, five ; Eastham, four ; Sandwich, five ; the rest of those cut off were thirty-one in number, belonging in Scituate, Marshfield, and Duxbury. The Indian *Amos*, who escaped to return to his home on the Cape, and who was among the Barnstable quota, has justly been commended : he not only "fought bravely to the last, standing by his unfortunate captain, but his escape from the fate of the fallen was by a stratagem illustrative of Indian tact, — for, seeing that the hostile Indians had used the precaution to blacken their faces, that they might be known to each other as distinguished from the friendly Indians that accompanied Capt. Pierce,

Amos instantly wet some powder and blackened his own face when his safety became otherwise hopeless, and thus passed through the midst of the victorious and infuriated enemy without detection.

Before the close of the year, seven hundred Indian warriors had been slain, among whom twenty-five chiefs had fallen, and, it was said, three hundred additional deaths occurred from wounds; the result of a single battle. Besides these, a great number of women, children, and aged men were destroyed *en masse*, in the six hundred wigwams that were doomed by the conflagrating torch. Of the colonists, six captains and eighty subordinates or privates were slain and others wounded.

An incident connected with the Indian depredations of the present year may here be mentioned. We have spoken of the concealment of the three regicides in the house of Rev. Mr. Russell at Hadley.¹ On the 1st of September, this year, Hadley was alarmed by the Indians in the time of public worship, it being Sunday. Goffe, who had been, as we have said, a military commander, looking from the window of his place of concealment in the parsonage which was near the meeting house, saw a large body of Indians approaching just as the people were collected and the religious services of the day were being commenced. In a moment the congregation were greatly alarmed. Such was their consternation they wist not what to do. Goffe suddenly appeared among them, as if a spectre; an aged, venerable man, in unusual dress, his white hair, and

¹ The term "regicide" we use, as it is especially applied in English and American history to those men who signed the death warrant of Charles I., and who were, on the restoration of his son, proscribed. The Rev. Mr. Russell, their friend, was the father of Rev. Jonathan Russell, the first minister of that name in Barnstable.

beard, and loose garments streaming to the wind ; and, with words of incitement to revive their courage, placed himself at their head. At the word of command, the men who had come to meeting armed were quickly formed in martial array, and, bearing down on the foe, the result was the enemy were repulsed. Great was the astonishment of the people when, after the excitement of the few moments that achieved the victory, they looked around for their leader and found he had mysteriously disappeared. They verily supposed that their deliverer had been an angel sent from heaven for their protection. The place of Goffe's concealment was still unknown except by the parson and his family.

Mr. Winslow continued to occupy the gubernatorial chair in 1676 ; and a new levy of men for the war was required of each town. Great alarm existed in the colony, and great destruction of property was made, attended with very many instances of loss of life. The Cape being free, almost entirely free from the alarms that prevailed elsewhere, and the inhabitants of Rehoboth, Taunton, Bridgewater, and other places being greatly exposed and in many instances driven from their houses, an invitation was extended from the Cape towns, particularly Sandwich, Barnstable, Yarmouth, and Eastham, through a general committee appointed to this duty, to their suffering brethren to come hither with their movable property for preservation and safety. Dartmouth, Middleboro', and Swansea were already broken up and scattered. To the invitation, committees from several towns responded. The inhabitants of Taunton replied, " We bless God that he has given us so much room in your hearts, that you so freely tender to us a part with you in your houses,

fields, and provisions, at such a time when the Lord is threatening us with bereavement of our own. It much comforteth us in this day of darkness and distress, that we shall want no succor you are able to afford us." The replies from Rehoboth and Bridgewater were expressive of similar sentiments.

It was ordered by the General Court, Feb. 29, that "the inhabitants of the several townships and plantations shall not withdraw from the same without permission first had and obtained" from the rightful authorities. Town councils of war were appointed "to look out for the safety and good ordering of their respective towns:" In Sandwich, Mr. Richard Bourne, Mr. Edmund Freeman, Jr., and Thomas Tobey, Sr.; Yarmouth, Mr. Edmund Howes, John Miller, and Jeremiah Howes; Barnstable, Mr. Thomas Hinckley, Mr. Thomas Huckins, and Mr. Barnabas Lothrop; and Eastham, Mr. John Freeman, Jona. Sparrow, and Mark Snow. Delinquent soldiers were ordered to be fined; and fines of £2 each were imposed on Ezra Bourne and John, son of Mr. John Smith, of Sandwich, for not appearing and "going out" when drafted. The towns were assessed for the war, the Cape towns being required to pay the following sums: Sandwich, £92 13s. 6d.; Barnstable, £99 3s. 6d.; Yarmouth, £74 15s. 6d.; Eastham, £66 16s. 6d.

Again, Mar. 29, soldiers were pressed, viz.: from Sandwich, 28; Barnstable, 30; Yarmouth, 26; Eastham, 18. All male youths under sixteen competent to the duty, were required to join the town watch.

Yet again, in June, both men and money were called for: from Sandwich, £16 and 15 soldiers; Yarmouth, £14 and 13 soldiers; Barnstable, £16 and 15 soldiers; Eastham, £10 5s. and 10 soldiers. In July of the same

year the rates for the war and other public charges, were: Sandwich, £327 15s. 6d.; Yarmouth, £266 5s.; Barnstable, £351 3s. 9d.; Eastham, £236 5s.

On the 12th of August, KING PHILIP, the great sachem of the Wampanoags, the terror of New England, and accounted by the Plymouth Colony their deadly foe, fell; his head was brought in triumph to Plymouth, and a general thanksgiving was ordered. A historian who would utter no word in disparagement of the conduct or motives of those who brought about this war, remarks: "Thus fell the mighty warrior! He was unquestionably a great warrior and a mighty chief, in whom rested the confidence and the hope of the confederated tribes. The noble deeds which he performed in 1676 in the defence of his unfortunate people, would not suffer in comparison with those of the renowned heroes in our own cause in 1776, to whom has justly been awarded a large share of honor and fame. From this death may be dated the extinction of his tribe, and eventually of the aboriginal race in New England. The termination of this horrid war was an event of the utmost importance to the colonies, as during its continuance of about two years they suffered a loss of about six hundred men in the flower of their strength, twelve or thirteen towns destroyed, and six hundred dwelling houses consumed."¹ By this war a large debt was contracted, and the resources of the colonies were greatly diminished.

Before we pass on from this summary reference to

¹ Thirteen towns were destroyed entirely, the buildings being all burned. No less than fifty-three towns suffered severely; others, in less degree. More than two thirds of the whole number were in Massachusetts and Rhode Island. — See Baylies's *Hist. New Plymouth*, Thacher's *History of Plymouth*, and Davis's *Morton*.

the war of 1676, we must, in justice to the Cape, notice somewhat particularly a fretful remark of Gov. Winslow reflecting on Sandwich. We have said that new levies of men for the war were required of each town early the present year. The crisis was, indeed, most momentous. Reports of the conflagrations of towns, and the burning of isolated dwellings and barns hither and thither, came so incessantly, one report treading as it were upon the heels of another, that the enemy seemed to be ubiquitous. They had returned from their temporarily concentrated positions on the frontier, and were scattered over the neighborhood of the entire seaboard of the Massachusetts and Plymouth Colonies. Their movements were so rapid as to baffle the utmost vigilance, and their depredations were astounding. The levy which the council of war at Plymouth had ordered in March, "to oppose the enemy," was to be furnished, to the number of 300, from the following towns: Plymouth, 30; Duxbury, 16; Bridgewater, 16; Scituate, 50; Taunton, 30; Sandwich, 28; Yarmouth, 26; Barnstable, 30; Marshfield, 26; Rehoboth, 30; Eastham, 18; besides a recruit of 100 friendly Indians.¹ These were to be ready to march by the 11th of April. But, before that day arrived, many changes had been wrought. Some of these towns had been attacked, some destroyed. "The council of war met at Plymouth on the day appointed, and a sad record indeed was that of their proceedings." Mr. Winslow says, "Many of the soldiers who were pressed came not forth; especially Scituate and Sandwich proved very deficient;" and from this cause, the governor thought, proceeded "a frustration of the

¹ Dartmouth, Middleboro', and Swansey were already broken up, and therefore not included in the requisition.

whole design." The fact is, the council of war disagreed, and their meeting "broke up in division and confusion," and the several towns were left, unaided, to their own defence. "A few of the *southern* soldiers went out of their way as far as Middleboro', and then returned home."¹

The fact in regard to Sandwich is, the twenty-eight men required were drafted, and those of the number who, for peculiar reasons, were not on hand at the time ordered by the council of war, were promptly fined. It was, indeed, felt that it was neither for the interest of the town, nor of the colony, that Sandwich should be left weak and defenceless. The incursions of the enemy were, as we have suggested before, sudden, vigorous, and successful wherever attempted; and, although Sandwich had never been backward in affording aid, there were now peculiar circumstances demanding the utmost vigilance of its inhabitants. It was the frontier town, as it were, of the Cape; occupying the narrow isthmus and interposing by its vigilance the only effectual barrier to any influence from the hostile Indians being exerted to secure the coöperation with Philip of the numerous Indians on the Cape. The town had, so to speak, its hands full already. Its inhabitants had resolved to extend to their brethren exposed in the

¹ With Sandwich only have we in this instance to do; but it is proper to give Scituate the benefit of the, doubtless, just remark of Judge Davis: "The remissness in Scituate, of which Gov. Winslow complains, cannot now be explained. The town had suffered severely, and the inhabitants might have been in circumstances not known to Gov. Winslow, which would, in their opinion, render it justifiable or expedient to confine themselves, on that occasion, to their own immediate defence. The two historians, Hubbard and Mather, commend their intrepidity on a former occasion, when part of their town was destroyed."

towns beyond, Taunton, Rehoboth, Bridgewater, &c., an invitation to come to them for succor and share with them their houses, provisions, and every comfort they could bestow; this also involved peculiar obligations. Besides, its inhabitants had no reason to hope for an entire exemption from the ire of the enemy; but were rather apprehensive that they might yet attempt to wreak their vengeance upon Sandwich and break down the barrier that was in the way of their intercourse with the Indians of the Cape. The governor, and perhaps some of the exposed elsewhere, may not have appreciated the peculiar position of the place, and seem not to have been properly impressed by the readiness of the inhabitants to assist to the utmost even unsolicited, never calling for or receiving aid for themselves.

It is true, (and the admission is made with some degree of satisfaction,) Sandwich never entered into the crusade against the Indians with that *furor* which distinguished some of the towns north and west of it. Conflicting opinions, it is well known, existed throughout the colonies in regard to the *policy* of the council of war. Still, Sandwich did the best it could, under existing circumstances. Money was freely furnished; and men, as far as they were required, were raised, and even beyond its proportion.

A letter from Gov. Winslow, May 23, addressed to Mr. Edmund Freeman of Sandwich and Mr. Thomas Hinckley of Barnstable, and forwarded by Mr. Church, throws some light on this subject, beyond the records of the town. The governor "requested that the towns of Sandwich and Barnstable would furnish ten or twelve Cape Indians for each of the towns of Bridgewater, Taunton, Hingham, Dartmouth, &c., and urged the sending of sixty as speedily as possible." The governor

expressed the hope that Mr. Bourne would aid the design; and adds, "Mr. Church tells me of an Indian woman brought in last Saturday by *Sepit*, who seems to be sent with lies and flams to *affright and corrupt your Indians*; if so, I wish you would order him to put her to death; but leave it to your discretion if you should think there may be inconveniency in it,—but let her not have opportunity of returning to the enemy. I would gladly improve the present heat that is in our men, in sending out fresh parties."

A letter previously written, April 17, by the Rev. Mr. Walley¹ of Barnstable, and addressed to Rev. Mr. Cotton

¹ Rev. THOMAS WALLEY, whose "prudence was the means of restoring the harmony of the church at Barnstable, which had been greatly interrupted," is mentioned by his contemporaries as a man of talents, learning, and piety. The records of the Barnstable church say, "The Lord was pleased to make him a blessed peacemaker and improve him in the work of his house here till March 24, 1678, being Lord's day morning, about forenoon meeting time, and then he called him out of this earthly tabernacle into a house not made with hands." Mr. Walley is said to have been "remarkable for his humility." It is much to the honor of Mr. Walley that he was kindly affected towards the Quakers. He, in common with many other influential inhabitants of the Cape, was much dissatisfied with the severity practised towards that people by the government. It is equally to his credit that he was ever an advocate for a kind and considerate course towards the Indians. In the Antiquarian Rooms at Worcester are preserved manuscript letters of much interest, written by Mr. Walley, in which letters he laments the treatment the Indians received. A sermon of his, preached at the annual election at Plymouth, 1669, was published, entitled "*Balm in Gilead to heal Zion's Wounds*;" and, prefixed to the election sermon of Mr. Arnold of Marshfield, 1674, was published an "Address on Public Spirit," furnished conjointly by Mr. Walley and Rev. Thomas Thacher.

By the records of William and Mary's Church, Whitechapel, London, it appears that *John Walley*, who, it is probable, was the grandfather of Rev. Thomas above, d. in 1586, being a printer in London. He left a son *Robert*, who was of the Court of Assistants, and whose

of Plymouth, is not without interest in this connection: he says, "I am greatly afflicted in my spirit, to see the

will, London, 1651, shows a son *Thomas*, who, probably, was the minister of Barnstable. However this may be, Rev. Mr. Walley brought with him to America his wife Margery and several children, viz.: Hannah, who m. Samuel Allyne, May 10, 1664, and d. Oct. 23, 1711; John, b. 1643, who was judge and major general; Mary, b. April 18, 1644, who m. Job Crocker of Barnstable, 1668; Thomas, b. 1646; and Lydia, b. April 16, 1650. His first wife dying, he m. second Sarah Clark, about 1675, whom he mentions in his will, requesting in the same that he "may be buried as near to my loving wife deceased as may be."

JOHN, eldest son of Rev. Mr. Walley, judge of the Supreme Court, member of council, and major general, d. Jan. 11, 1712. By his wife Sarah, who d. Nov. 11, 1711, he had Sarah, who m. first Charles Chauncey, Oct. 19, 1699, and second Francis Willoughby, Oct. 11, 1716, and d. Dec. 26, 1726; John, b. Nov. 7, 1677, and d. early; Hannah, b. July 23, 1680, and d. Nov. 26, 1711; Mary, b. Feb. 1682, and d. Aug. 15, 1704; Elizabeth, b. Nov. 1, 1685, m. Rev. Joseph Sewall, D. D., Oct. 29, 1713, and d. Oct. 27, 1756; Lydia, b. Sept. 2, 1688, and d. April 26, 1747; and John, b. Sept. 11, 1691, who m. Bethia Eyre, March 18, 1714, d. March 6, 1745, and had John, Oct. 6, 1716, who was the minister first at Ipswich, second at Bolton, and m. Elizabeth Appleton. Besides Rev. John of Ipswich, his father had Catharine, 1719; Sarah, 1722; Bethia, 1724; Thomas, Nov. 1, 1725; Elizabeth, 1731; and Mary, 1733. The last *Thomas*, b. 1725, m. first Mary Kneeland, 1748, and second Sarah Hurd, 1767, and d. Sept. 5, 1806. He had, besides several children who d. in infancy, Mary, who m. Capt. John Langdon; Thomas, 1768, who m. Eliza Ferrall of Martinique, and d. Aug. 2, 1848; Sally, March 25, 1772, who m. Hon. John Phillips, the first mayor of Boston; Charles, 1776, who m. Catharine Hurd, and d. March 12, 1840; and Samuel Hall, April 12, 1778, who m. Miriam Phillips, and d. July 25, 1850, having issue—Samuel Hurd of Roxbury, Aug. 31, 1805, who m. first Mehitabel S. Bates, daughter of Hon. Isaac C. Bates, of Northampton, and second Annie G. Hawes, daughter of Prince Hawes; Miriam, 1807; Sarah, 1816, who m. Doct. W. K. Brown; and Abby, 1818.

THOMAS, the other son of Rev. Mr. Walley, was a merchant in Barnstable and prominent citizen. He m. Hannah Bacon daughter

danger we are in, and the confusion and sad disorder we are fallen into. New England must prepare itself for what the Lord will lay upon it. We had some hope the Indians with us might have *proved faithful*, and been a *help to us*; but they see our *weakness and confusion*, and take great notice of the *severity* showed towards the squaws that are sent away, some of them much grieved, others, I fear, provoked. They say we cannot so easily raise armies as send away poor squaws. The country about us *is troubled and grieved* at this action, accounting it very unseasonable; and what the effect will be, God only knows. I could wish our honored governor would send for them back and return them to their friends. It would be very acceptable to this part of the country, for there is much discontent about it. Some fear we have paid dearly for former acts of severity; and how dear we may yet pay, God knoweth.”¹

of Nathaniel Bacon, Esq., and had Thomas, who d. without issue; Hannah, who m. first William Stone, 1686, and second James Leonard; and Elizabeth, who m. Edward Adams, 1692. He d. 1672, and his widow, Hannah, m. Rev. George Shove of Taunton, Feb. 18, 1674-5.

Among the lineal descendants of Rev. Thomas Walley, or connected with them by marriage, have been, and are, many persons of high distinction.

¹ The Cape Indians had been ever disposed to be friendly; but the *policy* of the colony towards the Indians came near moving the numerous bodies of Indians in the neighborhood of Sandwich and Barnstable to desperation; and it required great effort and prudence to keep them quiet, and especially to make their services available still to the English. What that policy generally was, we need not here define. Suffice it to say, that Mr. Church had averred, “Had the promises to the Indians been kept and the Indians fairly treated, it is probable that most, if not all the Indians in those parts had soon followed the example of those who surrendered themselves, which would have been

Rev. Mr. Walley, in a subsequent letter to Mr. Cotton, July 18, says, "I observe, throughout the land where Indians are employed there hath been the greatest success, if not the only success; which is a humbling providence of God, that we have so much need of them and cannot do our work without them. It should teach us to be wise in our carriage towards them."

The Cape towns, whatever glory they might have claimed in any public cause, (although they were never behind any other parts of the country in their patriotic devotion,) have never cared to magnify or noise abroad their achievements. It is proper, however, further to remark, so restless had the Indians become, that while Mr. Hinckley was abroad on the public service, a guard was necessary to protect his dwelling; and, in Sandwich, at the town's expense, a guard was constantly on pay watching the entire isthmus of the Cape to prevent communication between the Cape Indians whose pacific disposition was indispensable to the safety of the country, and the hostile Indians who were constantly desiring and seeking their alliance. It would have redounded more to the credit of certain historians, had they given proper prominence to the real facts in the case whether as respects the Indian war or the wars that succeeded.

That neither Sandwich nor other Cape towns were derelict in respect to sympathy with the suffering colony, may be seen from a comparison aided by the

a good step towards finishing the war. But in spite of all that could be said, argued, plead, or begged, somebody else that had more power in their hands improved it, and without any regard to the promises made to them, on their surrendering themselves, they were carried to Plymouth, there sold, and transported out of the country, being about eight score persons."

following schedule of disbursements made in the war, before July, 1676:

Plymouth had paid	£351	3 9,	and rec. of Irish donation,	£	8	0	0
<i>Sandwich</i>	"	327 15 6,	" " "		0	0	0
Duxbury	"	164 19 0,	" " "		2	0	0
Marshfield	"	266 1 0,	" " "		2	0	0
<i>Yarmouth</i>	"	266 1 0,	" " "		0	10	0
<i>Barnstable</i>	"	351 3 9,	" " "		3	0	0
Scituate	"	586 7 4,	" " "		12	0	0
Taunton	"	327 15 6,	" " "		10	0	0
Rehoboth	"	485 5 4,	" " "		32	0	0
<i>Eastham</i>	"	236 5 0,	" " "		0	10	0
Bridgewater	"	164 19 0,	" " "		7	0	0
Swansea	"	165 0 0,	" " "		21	0	0
Dartmouth	"	0 0 0,	" " "		22	0	0
Middleboro' ¹	"	0 0 0,	" " "		4	10	0
		£3692 16 2			£124	10	0

A notable occurrence connected with this war illustrates the excited feeling of the times, and we therefore mention it, although the Cape had no concern in the matter. An Englishman, during the war, deserted his post, and fled to the Narragansetts. It was charged that he carried with him a quantity of powder, and further that he joined the Indians. Being captured, it is said he confessed his guilt. He was condemned to be hung and quartered, and the sentence was executed.

It is worthy of more particular notice, to the honor of humanity, that in the time of the distress of the Plymouth and Massachusetts Colonies by reason of the

¹ Dartmouth and Middleboro' were so completely laid waste that no pecuniary advances were made by those towns.

It is proper to state that soldiers in this war were compensated in part by a portion of the money accruing from the *sale* of prisoners; lands were also assigned for the sums due them. The Indian auxiliaries received their compensation in the *plunder* they might acquire.

war, when few families remained that were not mourning the loss of some near relative, and when pecuniary embarrassments pressed upon them, the donation from Ireland, to which we have referred, "for the relief of the impoverished, distressed and in necessity by the war," was received. We record with pleasure this noble instance of benevolent sympathy.¹ We are constrained also to mention the fact that, although the Cape towns were so favorably exempted from the general calamities of the war, some misunderstanding seems to have interrupted for a moment the general agreement of these towns. A dispute arose, in which Sandwich, Barnstable, Yarmouth, and Eastham were involved in regard to the public charges.

We have not room to record all that might be gathered from official documents of the services rendered by the Cape in the war with the Indians; but we may add that "John Paysley of Yarmouth, a cripple in the late wars," was allowed £3; Thomas Tobey of Sandwich had for his services a grant of lands; and Captain Jonathan Sparrow, Lieutenant Joseph Lothrop, and Lieutenant John Thacher, were conspicuous members of the council of war.

In 1677, a new law was enacted by the General Court requiring suitable provision to be made in every town for the support of public worship. It seems to have been but the revisal and modification of already existing enactments; although some have it that this was the first law definitely authorizing and providing for the coercive collection of taxes for ministerial support.

¹ Rev. Nathaniel Mather, a Congregational minister in Dublin, had a conspicuous part, it has been suggested, in this fraternal act.

Additional courts were ordered to be holden by the selectmen of the several towns. The laws respecting the sales of strong liquors were renewed and the penalties increased. Laws were also enacted for the universal establishment and support of public schools. Indians were forbidden to come to Plymouth at the time of the holding of the courts, "except provided with a permit from a magistrate or selectman, under the penalty of five shillings or a whipping." It was also made penal for a white man to lend to an Indian any silver money. "The privileges and profits of fishing at the Cape, were farmed-out at £30 per annum." The rates, for state purposes, were fixed as follows, for the Cape: Sandwich, £22 16s.; Yarmouth, £18 10s.; Barnstable, £24 5s.; Eastham, £15 18s.; and lands were granted to John Wing, Sr., of Yarmouth.

Joseph Burge of Sandwich, who during King Philip's war "resisted and abused the watch," and was often fined, was now again before the court, and amerced to the amount of £5, "for selling liquor to the Indians." The decision of the court seems not to have been well relished by him, for it was also found necessary to fine him ten shillings "for swearing in court." George Barlow of Sandwich was also before the court for being "turbulent, and threatening to drive away the minister, Mr. Smith," as well as on the charge of other irregularities.

In 1678, it was enacted, "still further to promote the great object of religious worship," that in each town there shall be a house of worship provided, repaired, or enlarged, as occasion may require; and in case of any neglect, it shall be done by the government, and the delinquent town assessed for the expense. It has been

suggested by a reviewer of these enactments, that "a law enjoining upon all to pursue diligently their several professions, would have been as efficacious: much of the time of the ministers being employed in civil and secular affairs." It is thus easy for some to cavil at the doings of the early settlers; it would be better did such labor, instead, to imitate them in their virtues and imbibe a portion of their wisdom and patriotism. It is true, the experience of later times has proved that the burden of the support of public worship must mainly fall on the liberal, the conscientious and possessed of a strong sense of religious obligation, who will ever be ready to sustain the religious teachings which they believe are most in accordance with the gospel of Christ. But the condition of the colony was now peculiar. It had just emerged from a state of war—a condition of things not most favorable to morality; and various embarrassments attended the carrying out in the best manner honest endeavors for the public weal. Among the causes operating to thwart the policy hitherto pursued, the practice of indiscriminate suffrage (those who had not taken the freeman's oath, as well as those who had, having been permitted to vote,—claiming the right by reason of paying taxes) was thought to be chief—tending "to the obstruction of carrying on religion and the public good." The court, therefore, directed the towns to exclude from the right of suffrage all who had not taken the oath. None were "to come to inhabit without leave;" if any intruded, they were to be warned to leave, a fine of five shillings being imposed for every week's continuance after such warning, and the inhabitants were forbidden "to sell or hire out accommodations" to such, or to entertain them, under a heavy penalty. If any were accepted,

it was enjoined that great care be employed to make assurance doubly sure that they were "orthodox in their judgments." If the people of any town should be delinquent in providing for the gospel, the people of such town were to be rated for its support, by the colonial government. It seemed the only remedy; and hence the legislation.

All this certainly shows a great change; whether attributable in some degree to the previous attempts to *enforce* a *unity* of religious sentiment, or to other causes alone, the reader must judge. If to the former chiefly, it shows how impolitic is coercion and persecution. No doubt the early colonists meant well, according to their ideas of toleration. But their rigid course and exclusive views were evidently, in some cases at least, the cause of their own early defeat. The policy of the laws of the previous year for the maintenance of public schools, all will acknowledge, was less questionable than coercive enactments of an exclusive character for the support of religion; and possibly the reader may most cordially approve the law of the previous year prohibiting the sale of strong liquors, except to strangers, and that with a license for keeping an ordinary or inn.

The court, "conceiving the public safety to require that all persons in the government should abide and continue in their own towns respectively," also ordered that "no one shall depart on the penalty of forfeiting his whole personal estate, except by allowance of the governor or two magistrates."

This year also an act was passed for the protection of the fisheries. It was ordered that all vessels not belonging to the colony should be seized for the colony's use, and that the damage done to the fisheries

should be paid out of the proceeds of the sale of such vessels. Massachusetts was excepted ; but to all other *foreigners* the prohibition extended.

On the 8th March, "In answer to the petition of the inhabitants of Mannamoiett, wherein they apply themselves unto this court that they may be a township of themselves, as by reason of their remoteness from the town of Eastham they cannot comfortably attend the worship of God there,—they manifesting that they are desirous of building a meeting house and procuring Mr. Crosby or some other orthodox minister to dispense the word of God amongst them : the court ordereth that if they so do, and apply themselves to the next June court and then give the court a good assurance thereof as also to perform other duties which concern a well-ordered township, they shall be a township by themselves." And, June 3, the court ordered "in answer to Mr. William Nickerson's petition, that Mannamoiett shall be a constablerick of itself." The court also enjoined the raising of £5 per annum towards "the enabling of them to build a meeting house for a minister."

George Barlow, the quondam marshal of Sandwich, we are for him sorry to say, was again before the court charged with being a "turbulent fellow," and bound over ; and Jane, the wife of John Barlow, was complained of "for selling liquors to an Indian."

In 1679, SELECT COURTS were "allowed in each town or jurisdiction, and the following persons were commissioned to hold them, on the Cape, viz. : in Sandwich, Mr. Edmund Freeman, John Blackwell, and Thomas Tupper ; in Yarmouth, Edmund Howes, Ensign Thacher, Edward Sturgis, John Miller, and Jeremiah Howes ;

in Barnstable, Lieut. Laythroe, (Joseph,) Lieut. James Lewis, Mr. Barnabas Laythroe ; and in Eastham, Capt. Jonathan Sparrow, Mark Snow, and John Doane." The profits of the Cape fishing the last year were ordered to be collected ; lands were granted to Robert Lawrence of Sandwich, " purchased from POMPAQUINE of Pokesit ;" and £10 to William Perry, " who received great wounds in the late wars with the Indians." Leave was also granted to Robert Lawrence of Sandwich, to purchase " a certain tract of Indian SIMON WICKETT, at Pocasset : six score acres."

In 1680, " a great comet" appearing, the usual amount of alarm was excited in New England — a feeling not peculiar, however, in that day to the people of any one section of country, or portion of the globe. The teachings of the pulpit favored in some degree superstitious views. Dr. Increase Mather, in a discourse preached at that time, attempted to show that " when blazing stars have been seen, great mutations and miseries have come upon mortals."

Those fine lands, the territory of Mount Hope, the seat of the great sachem of the Wampanoags — that unfortunate, though shrewd and bold warrior who paid the forfeit in 1676 — which, with other tracts, were confirmed to the colony of New Plymouth at the close of the war, were now sold by order of court to liquidate the expenses of the war and to refund to the several towns a proportion of what had been raised by taxation for that purpose.¹ The purchase was made by Boston gentlemen, at £300 sterling.

¹ The sum obtained was, of course, inadequate to cover the whole expense of the war. Although the daily pay to those who served in

The writer may be unfortunate in the judgment he forms in regard to the morality of some transactions which he feels obliged in faithfulness to record. But, a descendant from the early settlers though he be, he cannot appreciate as do some the sentiment of Rev. Dr. Holmes in his *Annals*, (often cited by others with the same reference to the *piety* of the actors,) when he says, "It is a consoling fact that our ancestors purchased of the natives their land for an equivalent consideration, as appears by a letter from the pious Gov. Winslow, 1676: 'I think I can clearly say that before these present troubles broke out, the English did not possess one foot of land in this colony but what was fairly obtained by honest purchase of the Indian proprietors. We first made a law that none should purchase or receive of gift any land of the Indians, without the knowledge of our court. And lest they should be straitened, we ordered that Mount Hope, Pocasset, and several other necks of the best land in the colony, because most suitable and convenient for them, should never be bought out of their hands.'"

It is indeed painful to contemplate in the retrospect, or the present, the situation of the original natives of the soil; so soon after their welcome to their English neighbors were they reduced to the necessity of occupying as their only domain, and that upon sufferance, a few narrow possessions; the martial spirit that was every where exhibited around them telling that they were not only conquered and debased, but were

this war was, to a general 6s., captain 5s., commissary 4s., surgeon general 4s., lieutenant 4s., sergeant 2s. 6d., corporal 2s., and ordinary soldier, 1s. 6d., the commissioners of the United Colonies represented the disbursements during this war as amounting to £100,000 in Plymouth Colony alone.

destined to extinction; and then, at last, their distinctive character lost, — the blood of the Indian only flowing in commingled streams with negroes and others, until, at last, scarcely a vestige remains of once powerful tribes, if we except the bones occasionally exhumed where once they roamed the proud lords of the creation around them.

Gov. Josias Winslow,¹ who had, through successive years, held the office of chief magistrate from the death of Gov. Prince to the present time, died in Marshfield, Dec. 18, greatly lamented. He was the first governor of the colony who was born in New England. It has been regarded as much to his credit that one of the first acts of his administration was to restore Isaac Robinson and others, who had been disfranchised because of their advocacy of the rights of the Friends.

Mr. THOMAS HINCKLEY of Barnstable was chosen in 1681 to succeed Gov. Winslow; and Mr. James Cudworth succeeded Mr. Hinckley as assistant.²

¹ JOSIAH WINSLOW, governor of Plymouth, born in Marshfield in 1629, was son of Gov. Edward Winslow. In Philip's war, as commander of the Plymouth forces, he proved himself a brave soldier. He d. at Marshfield, Dec. 18, 1680, *ae.* 51. He was father of Isaac Winslow, a councillor and general, who d. in 1738. Edward, John, Kenelm, Gilbert, and Josias, with three sisters, constituted the family in England. Of these, Edward and Gilbert came over in the *Mayflower* in 1620. John came the next year in the *Fortune*. Kenelm's name appears in the Plymouth list of taxes in 1633. Josias, the youngest brother, came over also. John removed to Boston; one settled in Rochester; one in Portsmouth; another, Edward, governor, and father of Gov. Josias, in Marshfield, then called Green Harbor. Kenelm Winslow was the ancestor of the Winslows on the Cape.

² Gen. JAMES CUDWORTH had himself been for a time a distinguished citizen of Barnstable County, and one of the original settlers of the town of Barnstable in 1639. Besides being deputy to the

The first instalment of the payment obtained by the sales of Mount Hope was made; and those fertile and beautifully located lands inviting and being now almost the last unoccupied by the English, numbers of the inhabitants of the Cape removed thither. Military companies were required to fill vacancies with able officers, and the soldiers were to be provided with swords and cutlasses. The selectmen were required to be under oath, and the secretary was to furnish them a book containing all the orders of court. It was also ordered that in every town of the jurisdiction, three men

General Court as early as 1649 and an assistant in 1656, he had been a commissioner of the United Colonies in 1655 and 1657; but, in 1658, "in consequence of his public policy in regard to the Quakers, views more indulgent than suited the spirit of the time, he was left out of the magistracy," as we have before shown, "and was superseded by Gov. Hinckley." Gov. Josiah Winslow, whose confidence in Mr. Cudworth was great, in 1673 appointed him commander of an expedition against the Dutch, and in King Philip's war he was made commander of the forces of the Plymouth Colony. This same year that he was restored to his position as assistant, 1681, he was sent to England "to solicit a charter from the crown, in place of the patent from the Plymouth Company, which was all the authority the colony yet had for administering its affairs. He died in London soon after his arrival. Mr. Baylies, in his History of New Plymouth, says, "The moral character of Cudworth stands out in bold relief. . . . From the maxims of his pious philosophy, believing that he was not called of God to fill the high places of the state, he reconciled himself to his obscurity and privacy, and preferred the retirement of his farm to the highest civic and military honors." Mr. Palfrey, from whose address this note is compiled, adds, "Let me illustrate this modesty of his, and, at the same time, something of the domestic habits of the period, by a quotation from his letter in reply to the governor's communication of his appointment to lead the expedition against the Dutch: 'The place,' says he, 'is not below me, as some deem theirs to be, but is above me, and far beyond any desert of mine, and had the court been well acquainted with my insufficiency for such an

should be chosen and joined with the commissioned officers to be "the town council." It was "ordered that Mannamoiett do choose a fit man to exercise its men in arms," &c.; also that "the men of Sacconessit repair three times a year to Barnstable to train." A grant was also made to Jona. Sparrow of lands, viz., "Sparrow's Island, near Mattapoissett." And the Quakers of Sandwich, upon their petition, were granted liberty to act in the disposal of lands, &c., "so long as they carry themselves civilly and do not abuse their liberty."

Gov. Hinckley was continued in office, by election,

undertaking, doubtless I should not have been put in nomination. Besides, it is evident to me, upon other considerations, I am not called of God unto this work at this time. The estate and condition of my family is such as will not admit of any such thing. My wife, as is well known to the whole town, is not only a weak woman, and has been so all along, but now, by reason of age, being 67 years and upwards, and nature decaying, so her illness grows more strongly upon her. Never a day passes but she is forced to rise at break of day or before. She cannot lie, for want of breath. And when she is up she cannot light a pipe of tobacco, but it must be lighted for her. And she has never a maid. That day your letter came to my hands, my maid's year being out, she went away, and I cannot get or hear of another. And then, in regard to my occasions abroad, for the tending and looking after my creatures; the fetching home my hay, that is yet at the place where it grew; getting of wood; going to mill; and for the performing of all other family occasions, I have now but a small Indian boy, about 13 years of age, to help me. Sir, I can truly say that I do not in the least waive the business out of an effeminate or dastardly spirit; but am as freely willing to serve my king and my country as any man whatsoever, in what I am capable and fitted for; but do not understand that a man is called to serve his country with the inevitable ruin and destruction of his family.'

"So little of state was there in those times in the household economy of the commander-in-chief in a foreign war; so little of the lust of office had the New England statesmen and soldiers of the 17th century. Indeed, it is amusing and touching at once to see how hard, in those days, it was to induce men to be willing to be great."

in 1682. "Of the Cape money," state avails from the fisheries, "£12 was granted to Rehoboth for their school; £8 to Duxbury," &c. A law was passed "for the regulation of proprietaries." A "controversy between Richard Smith and Rhode Island men, about Hog Island," was referred for settlement; the government required all probate business to be done in Boston; an act was passed regulating the taking of alewives in Buzzard's Bay; the people throughout the colony were required "to refrain from work and recreation on Fast and Thanksgiving days," and "from travelling on the Sabbath and on lecture days;" the keepers of inns were "to clear their houses of all persons able to go to meeting" when regular religious services were appointed, "strangers only being excepted;" and the towns were ordered to "provide stocks and whipping-posts." Another comet appeared, which was considered by some a presage of calamity; and Zachary Allen of Sandwich was fined £20 "for selling rum to the Indians." Joseph Holway became his surety.

Severe laws having been passed in 1657 "regulating the lives and conduct of the Indians, and requiring the Court of Assistants to appoint an overseer for them, it was now further required "that every tenth Indian shall have particular oversight of his nine men, and present their faults to the proper authorities;" further, "that the overseers and tithing men in the towns where are Indian plantations, shall appoint Indian constables annually, who shall attend the courts held for regulating Indian affairs."¹ The Indians were to be subject to all

¹ The employment of the Indians in their own government, it has been said, was peculiarly grateful to them. And probably their notions of the administration of justice were generally in accordance with the dictates of common sense. It is related of *Waban*, the Indian who

capital and criminal laws made for the English in the colony. For the first offence of drunkenness, an Indian, on conviction, was to pay a fine of five shillings or be whipped, for the second ten shillings or be whipped; and "no Indian" was to be "trusted," under penalty.

In 1683, a bridge over Eel River in Plymouth, and one over Jones's River, were ordered to be built. Sandwich, Barnstable, and Yarmouth were required to contribute £5, in silver, each, towards the building of Eel River bridge. Of "the Cape money, £12 was appropriated to Barnstable, £8 to Duxbury, £5 to Rehoboth, £3 to Taunton," &c. And the court ordered that the selectmen in each town "shall take care of the poor in their respective townships, the town to provide for the expense."

A memorable crisis was now at hand. Randolph

welcomed Mr. Eliot to his wigwam in Newton, in 1646, that whilst acting as Indian magistrate at Natick, he being asked by a young Indian who had just received an appointment to the same high office, and who wished fully to inform himself respecting the modes of procedure that, being suitably familiar with the rules by which justice was to be administered, he might govern himself accordingly, "When Indian gets drunk and quarrels, what you do den?" he replied to the inquiry of his student, "Hah, tie um all up, and whip um; whip um plaintiff, whip um 'fendant, and whip um witness." The following is also said to have been the form of the warrant he issued: "You big constable, quick you catch um Jeremy Offscow, strong you hold um, safe you bring um afore me, Waban, Justice of Peace." This, it will be perceived, is very similar to the instance given by Judge Davis of another Indian formula: "I Hioudi, you Peter; Jerry Wicket, quick you take him, fast you hold him, straight you bring him, before me, Hioudi." This simplification of legal documents all must confess has some advantages over the verbosity which has generally prevailed in legal writings, and shames some of the proposed improvements of modern reformers of the law.

arrived in Boston in October with a *quo warranto* against Massachusetts, and commissioned by the crown "to settle difficulties." The charter was vacated. The Plymouth Colony was in constant apprehension of proceedings being instituted against other colonies also itself included, and found it necessary to act with great caution. All charters being soon after *declared* vacated, the people were told that the titles to their estates were worthless, inasmuch as (to use the expression then in vogue) "the calf had died in the cow's belly;" and, moreover, there was in any event "a radical defect, for the court had not made their grants under the seal of the colony." This defect Randolph and his minions alleged no possession or improvement could heal. "From this period," says Minot, "we may date the origin of the two parties, the patriots and prerogative men, between whom controversy scarcely intermitted, and was never ended until the separation of the two countries. Such as were for adhering to their patent, naturally won the feelings of the people and received their confidence in proportion to their zeal; whilst such as hoped to assuage a power which, in their opinion, could not at this period be overcome, were subject to the reproach of cowardice, or self-interested motives."

In 1684, a second distribution of the result of the sales of Mt. Hope was made. A jury was empanelled to lay out a road "from Barnstable through Sandwich to Plymouth." The taking of mackerel at Cape Cod, or near it, with nets or seines, was prohibited by act of the General Court; and it was ordered that under the restrictions imposed, "the Cape fishing" be let "in behalf of the country for seven years." A lease for the

"bass fishing" was made to William Clarke of Plymouth at £30 per annum.

Harwich is mentioned, *quasi* a town, this year, although its legal and full incorporation did not occur until ten years after.¹

On examining the Proprietors' Records, touching "the Quason's lands, or sixteen share purchase," — the first entry in which is some thirty years subsequent to the present date, — we find the *cover* of said records to be an ancient parchment-deed bearing date Feb. 20, 1673, of property conveyed by William Nickerson to Trustram and Ann Hedges, bounded by lands of William, Joseph, Samuel, and John Nickerson, and Trustram Hedges' meadow, Sequanset. Oyster Pond and Great Neck are named. The lands, it would appear, were purchased of John, Joseph, and Samuel Quason and their sisters, children of John Quason, Sr., alias Towasowet, and grandchildren of Mattaquason, sachem of Monamoy, and of Amos Lawrence, Indian. The tract included more than half of the present territory of the town of Harwich, and was bounded north by "Great Long Pond" — the present bounds between Harwich and Brewster; westerly by the lands of the Indian Sachemus, "beginning at the easterly corner-pond called Hall's Mill Pond, on the highway that leads from said corner of said pond, southerly by said highway as it runs across the road that comes from Monamoy, to a mill, Hall's mill, until it comes to the road that comes from said Hall's mill to Coy's Brook; then and thence running westerly by said road until it comes to Wing's line;" southerly most of the distance by "the lower cartway" — or southward through Harwich, and easterly by Chatham. In the absence of much of authentic data that might enable us better to trace the progress of events here, we rescue from the destroying hand of time these few suggestives of the cover of the manuscript.

CHAPTER XV.

The Colony divided into Counties, and Barnstable County erected. — Arrival of Andros, and the Governor superseded. — Extension of Cape Towns. — Revolution in England, and Restoration of the Government. — French and Indian War. — Annexation of Plymouth Colony to Massachusetts, and Extinction of the former Government. — Andros dismissed. — Efforts to obtain a Charter.

Gov. HINCKLEY was again in office, 1685, and “the government being much enlarged,” the colony was divided into three counties, viz.: Plymouth, Bristol, and Barnstable. In the County of Barnstable were reckoned eight towns, including Falmouth, Harwich, Truro, and Chatham, though as yet Sandwich, Yarmouth, Barnstable, and Eastham only, were fully incorporated. Barnstable was made the shire town of the county; a court house was built, and proper officers, including judges, for the county, were duly appointed. The towns proper were now required to send grand jurors to court; the laws were again ordered to be revised and published; and confirmatory titles were given under the seal of government, “the several purchases being particularly described.”

“On the motion and request of the principal men amongst the Indians commonly called the South Sea Indians, living about Satuit Pond, Mashpee, and places adjacent, — that the tract of land formerly given by Tookenchosen and Weepquush, Indians, as per deed bearing date Dec. 11, 1665, and acknowledged before John Freeman, assistant, 7: 4: 1667, may appear; and

confirmed unto them by Quachatessett, sachem of Manomet, acknowledged before Mr. John Alden, assistant, 31: 8: 1672, might by this court be confirmed unto them, and secured to the said South Sea Indians and to their children forever, so as never to be given, sold, or alienated from them without all their consents,— except such parcels of upland and meadow as hath already been by their consents granted or sold to Mr. Richard Bourne, late of Sandwich, deceased, and to his son Shearjashub Bourne of Sandwich aforesaid, hereafter mentioned. The tract of land desired by the Indians to be secured for them, and contained in said deeds, are: All the lands lying between the line that runs between Barnstable lands and said Indians on the east, leaving the skirts of good land lying next the east side of Satuit Pond unto said Indians, according to the known and accustomed bounds thereof, and then extending westerly to the westward of Wequoyett to a little creek or place sometimes called Mannamoyest, and to the mouth of said Wequoyett Harbor to the sea; and from said Mannamoyest into the land unto Ashimuett Pond and half a mile to the westward of said pond, and so from pond to pond and place to place as is the known northerly bounds thereof, and southerly to the sea;” the lands excepted being at Anta-anta, Mashpee, Wootteckoospa, and Attaquahunchonnitt: the same was “confirmed to the Indians to be perpetually to them and their children, so as that no part of them shall be granted to or purchased by any English whatsoever, by the court’s allowance, without the consent of all the said Indians.”

The usual amount of legislation was bestowed upon the several towns, and they were not entirely exempt from the attentions of the judiciary. An increased

bounty was offered for wolves, the towns continuing to be infested by them to the great annoyance of the inhabitants, and doing much damage by the destruction of sheep and cattle. On the council of war this year were appointed Capt. Joseph Lothrop and Capt. Sparrow. It was ordered that Indian corn be received for defraying the public charges and for paying all the public officers, at the rate of 2s. 6d. per bushel. Jonathan Hatch of Sacconessett was granted a license to keep a house of entertainment, the said Hatch to keep a victualling house, retailing liquor for the entertainment of strangers, passengers, or others as occasion may require. Thomas Lewis, Sr., was recognized as the clerk of the records of the Proprietors of Sacco-nessett, and Jonathan Hatch was acknowledged as an equal purchaser and proprietor. Caleb Hopkins was fined £5, silver, "for selling liquors to Indians;" he to be committed to prison until the fine shall be paid. Ambrose Fish and Benjamin Foster were fined for a breach of the peace; and Elizabeth, wife of Jabez Snow, was fined 10s. "for railing expressions on the Lord's day, used towards Mr. Samuel Treat."

King CHARLES having died, this year the Duke of York, JAMES II., succeeded to the throne. A loyal address was made to the crown by the Plymouth Colony; and strong hopes were indulged of royal favor. The people were not without sanguine expectations of having all their wishes realized, notwithstanding the appointment of Mr. Dudley to the government of Massachusetts caused some solicitude.

The colony in 1686 still continued its former administration. Gov. Hinckley was again in office; and this year witnessed another addition to the incorporated

towns on the Cape. Many families, a part of whom were from Barnstable and some from Sandwich, had at different times become permanently located in Suckonessit, the Indian tract bordering on the west of Mashpee and the south of Sandwich, and thence extending to the Vineyard Sound and Buzzard's Bay. This tract was now incorporated as FALMOUTH.

Monomoyick also, which had before this, as we have seen, been regarded in some respects as a town, (the eighth in the County of Barnstable in the division of the Colony of Plymouth into counties the year previous,) was now, in June, ordered by the General Court to choose a grand juror.

Sippecan, extending from Sandwich to Dartmouth, was incorporated as "*Rochester* in the County of *Barnstable*." Joseph and Barnabas Lothrop of Barnstable with others had been, in 1679, agents for its settlement; and, in 1684, we find that Peter Blackman, John Hammond, Moses Barlow, and others had removed from Sandwich and located in Sippecan. Subsequently, in 1689, John Wing, Aaron Barlow, Joseph Burgess, and others removed thither from the same place. But Rochester was not destined long to remain associated with this county. It was soon set off to Plymouth County, and thus the identity of the towns in the present Barnstable County as the Cape County was established — the Cape, the whole Cape, and the Cape only, being its territorial limits thenceforward.

It was ordered by General Court that "the laws lately printed be published in the several towns, and be in force;" and "that magistrates and associates that are to keep court in the several counties, meet and be a court for the trying of actions, and that they also conclude about a prison in each county." It was also

“ordered that the associates be chosen by the General Court.”

Christopher Gifford and Joseph Hull of Suckonessit, indicted “for resisting the constable, Moses Rowley, Jr.,” were fined, the one £7, the other £5, and costs in each case, £7 9s. 6d.; and Indians at Nauset were fined, and ordered to be whipped, “for stealing hogs.”

The administration of Gov. Hinckley was fated to interruption. Sir EDMOND ANDROS, who had been for some time governor of New York, arrived in Boston, December 20, with a commission from his majesty, King James II., appointing him governor of New England. Mr. Joseph Dudley, as we have seen, had received a commission as president of a council for New England; but the Plymouth Colony was not included until the close of the present year, when Sir Edmund having arrived, the administration of Dudley was superseded. By virtue of the commission to Andros, his jurisdiction was to embrace in connection with Massachusetts, Rhode Island, the Connecticut Colonies, and the Plymouth government. A new order of things was thus instituted. Gov. Hinckley was of course supplanted by this arrangement; the affairs of the Plymouth Colony were measurably merged with those of other colonies; and, for the time being, the colony of New Plymouth was divested of its distinctive character.

In vain did Gov. Hinckley petition the throne for redress, setting forth in earnest and forcible language the grievances of the people. No attention was paid to his petition; but the colonists were left smarting under what they generally regarded as the severity of arbitrary rule. The writers of that day assert that it had been discovered soon after the accession of King James II., that he was “a tyrant in disposition and a bigot in

practice;" determined "to substitute his will for the law of the land," and his own views for "the religion of the Bible;" and that although he pretended that he was only anxious to secure greater toleration, his evident *aim* was "merely to relieve *Catholics*."

Such were the asperities of the time. The fact was, charter provisions, especially in the Massachusetts and Connecticut Colonies, where the complaints were loudest and vituperations most prevalent, had not been very carefully observed. The first settlers had considered themselves as really subject to no laws but those of reason, equity, and Scripture, according to their own interpretation of these, and had therefore modelled their government according to their own pleasure. In some instances, to say the least, religious intolerance bearing sway, they palpably violated even laws which they themselves had enacted; passing sentence of banishment and inflicting other punishments in a summary way without trial by jury. Hence they had been charged with disrespect generally to the laws of England. From the time that Edward Randolph was sent over, in 1676, in consequence of complaints made against the colonies by Quakers and others, great anxiety had been felt. No less than sixteen times in nine years did Randolph cross the Atlantic in consequence of complaints preferred to the crown. The proclamation of King James for a *general toleration* of course occasioned in some quarters not a little excitement and some uneasiness. It has been alleged that Randolph had "the insolence," on one occasion, "to reprove and even threaten" the governor of Plymouth for exacting taxes from Quakers for the support of the ministry. In a letter to Gov. Hinckley, June 22, 1686, he wrote, "Perhaps it will be as reasonable to move that your

colony be rated to pay our minister of the church of England who now preaches in Boston and you hear him not, as to make the Quakers pay in your colony ;” a sentiment to which few at the present period would demur.¹

The colonies were very soon summoned by Andros to surrender their charters, against which writs had been issued in 1683, occasioning great and constant alarm on the part of the colonists generally.

In 1687, Gov. ANDROS being in power, and, according to the views of many, that power being little better than despotic, the press was restrained; exorbitant taxes were levied; and it was pretended that all titles to land were invalid, and new titles must be procured, for which large fees must be paid.² In October he went to Hartford, Ct., and demanded a surrender of the charter,³ and in this excursion was accompanied by

¹ Religious motives are doubtless the most effective of all that influence human conduct. A truly religious feeling, however, becomes often perverted, as all history shows, producing sad results. The Puritans believed their mode of faith was right, and were unwilling, therefore, that any should be among them who taught or believed any thing different. This feeling produced great uncharitableness. The only possible palliation that we have ever heard offered in our own day for this blemish in the character of the Puritans, is — “they were not free from the common error of the age.”

² Andros is said to have declared that the Indian deeds were “no better than the scratch of a bear’s paw.”

³ The General Assembly of Connecticut was in session, and, in the evening, after much debate, the charter was brought in and laid upon the table, when instantly the lights were all extinguished and the charter suddenly disappeared. As was well known afterwards, Capt. Wadsworth had snatched it up in the short interval of confusion and darkness, and had secreted it in the famous hollow oak, since known as “the Charter Oak.”

troops. He had begun his administration, it was said, with high professions of regard for the best interests of the people; but had "now thrown off the mask," and governed oppressively. It was charged upon him that his object was to amass a fortune for himself by his exactions, which were said to be in some instances enormous. Gov. Hinckley, in a petition to the king in behalf of the Colony of Plymouth, says in reference to these exactions, that all the money left in the colony would scarcely suffice "to pay one half the charges for warrants, surveying, and patents, if every one must be forced thereto." Some regrets have been expressed by a distinguished jurist, (Judge Davis,) that Gov. H. "accepted a seat in the council of a government that suspended the ancient authorities of the country, and authorized or countenanced a course of arbitrary, vexatious, and oppressive proceedings." But, as the same writer suggests, "many of that council were sincere well wishers to their country, and accepted seats at the board with the hope of preventing injurious measures." And the above language of Gov. H. shows how decidedly he disapproved of Andros's proceedings. To this effect there is abundant testimony.

The next year, 1688, Gov. Andros's commission was enlarged, and New York also was included as a part of his jurisdiction. And now, in the spring of the year, he proceeded in the *Rose* frigate to Castine, and, by the course he pursued, provoked an Indian war. At last, his capricious and arbitrary proceedings roused the determined spirit of the people of New England. Their dissatisfaction with the existing state of things was blown into a flame of indignation.

In 1689, the functions of the several colonies were suspended. But the revolution of 1688, which occasioned the flight of King James II. and the accession of WILLIAM and MARY soon produced a sensible change in affairs. In April, Sir Edmond Andros was dismissed from his government, and each colony reassumed its former powers.¹ Plymouth had, indeed, no *charter* to resume, as had Massachusetts, Connecticut, and Rhode Island; but having until the interruption by Andros uniformly exercised all the *powers* of government necessary for the management of affairs, under its patent from the council of Plymouth, and by voluntary agreement expressed in the covenant at Cape Cod in 1620, sanctioned by uninterrupted acquiescence, the General Court of Election assembled at Plymouth in June as before Andros's time, and Mr. Hinckley was

¹ No sooner had the rumor reached Boston that the Prince of Orange had landed in England than the smouldering fire broke out in earnest, to Andros's utter dismay, and the discomfiture of his supporters. The people of the Massachusetts Colony seized their arms, April 18, proclaimed William and Mary, and, rushing into Boston, arrested the obnoxious governor, compelled him to resign, and restored their former governor, Bradstreet, now recalled at the age of 87, not by a formal election, but by acclamation. Gov. BRADSTREET was the last governor of Massachusetts under the first charter, and was now, on the imprisonment of Andros, elected president of the council and acting governor. He was for fifty years an assistant in the Massachusetts Colony, enjoying the confidence of all classes. He died Mar. 27, 1697, æ. 94. Andros was sent home to England; but was, in 1692, appointed governor of Virginia. He died Feb. 24, 1714, at a very advanced age, in London. Although sent home to England for trial, his being appointed governor of Virginia would seem to indicate that his career in New England was not regarded by the parent government as censurable. Whether he had learned wisdom from his misfortunes, or found in Virginia a people more congenial, we may not undertake to say; but it is recorded of him that "few of the governors of Virginia were ever more beloved." *Fiat justitia.*

again elected governor, and Mr. Bradford deputy governor; and the people were again left for the time to the full enjoyment of their accustomed rule. In August, a new election of delegates was ordered, so that this year there were two sets of representatives.

During the administration of Andros, Courts of Common Pleas, *co nomine*, were established in Barnstable County. Now Associate Courts were restored, and Jonathan Sparrow of Eastham and Stephen Skiff of Sandwich were appointed justices. They were reappointed in 1690 and in 1691.

It was ordered that informers against violations of law in retailing strong drink without license shall have one half the fines imposed. It was also ordered that the expenses of the present war shall be assessed as follows:—

Plymouth	£60.	Barnstable	£60.	Bristol	£35.
Duxbury	25.	Sandwich	60.	Taunton	60.
Scituate	88.	Yarmouth	41.	Rehoboth	48.
Marshfield	45.	Eastham	46.	Swansey	40.
Bridgewater	28.	Rochester	8.	L. Compton	35.
Middleboro'	14.	Monomoy	7.	Freetown	8.
Ford's Farms	2.	Dartmouth	40.		

Eastham having neglected to make a rate for the charge of the war, the neglect being "occasioned by misrepresentations or insinuations of ill men, disaffected towards the government," a fine of £50 was inflicted "to be collected in case the neglect is persisted in." And, in August, the law touching "the seining for mackerel" was repealed, and it was ordered that "the magistrates of Barnstable County dispose of and manage the Cape fishing; provided, however, that all former fishing orders shall be in force." The "profits of the fishing at the Cape for this year" were "divided as

follows: to the commissioners, £10; treasurer, 4s. out of every £1; secretary, £10; chief marshal, £6; under marshal and prison keeper, £5, or in that proportion."

In 1690, the colonies were involved in other troubles than the preceding. The war with the French and their Indian allies was on hand; and an unsuccessful attempt was made on Canada, in which Plymouth Colony bore its proportion of charge and loss.¹

The people of the Colony of Massachusetts Bay sent over to England its agents, with whom went Rev. Ichabod Wiswall, from this colony, to obtain a restoration of the old charter, or to solicit a new one. The restoration of the old charter was refused; but a new one was promised. The Plymouth Colony was to be united to Massachusetts, and the title of the province, thus embracing the two colonies with additional territory,² was to be that of "the Massachusetts Bay in New England;" the king reserving to himself and successors the right of appointing the governor, lieutenant governor, and secretary.³ As it was supposed to have been the intention of the government of England to annex the Plymouth Colony to New York, the arrangement finally made was satisfactory to the majority. A separate charter might possibly have been obtained for the Plymouth Colony; but, then, it was thought also it might have been worse. The result showed, we think, that the arrangement was fortunate and wise.

Ichabod Paddock was, this year, engaged to go to

¹ The war, during the reign of William and Mary, lasted from 1690 to 1697.

² Maine and Nova Scotia were annexed to Massachusetts Bay.

³ The only privilege reserved to the province of Massachusetts Bay, was the right of choosing representatives by the people.

Nantucket, from Cape Cod, to instruct the people of that island in the art of killing whales by the employment of boats from the shore.¹

¹ The locations which furnished the principal scenes of whaling in olden time have changed; and the business has become less prominent on the Cape. Nantucket is yet noted for this branch of enterprise. Provincetown still bears some part in the business. Touching the *mode* of taking whales, we are disposed to give here the statements made by Purchas in his "Pilgrimage," a folio printed early in the 17th century, of the mode of killing the whale, which will be recognized by modern whalers as being closely similar to their own operations at the present day — the fashion having been but very slightly altered during upwards of two centuries; and the picture drawn of the "greatest of sea monsters," though in a few points somewhat exaggerated, will also be deemed a likeness.

"I might here recreate your wearied eyes with a hunting spectacle of the greatest chase which nature yieldeth; I mean the killing of a whale. When they espy him on the top of the water (which he is forced to for to take breath) they row toward him in a shallop, in which the harponeer stands ready with both his hands to dart his harping iron, to which is fastened a line of such length, that the whale (which suddenly feeling himself hurt, sinketh to the bottom) may carry it down with him, being before fitted that the shallop be not therewith endangered; coming up again they again strike him with lances made for that purpose about twelve feet long, the iron eight thereof, and the blade eighteen inches, — the harping iron principally serving to fasten him to the shallop, — and thus they hold him in such pursuit, till after streams of water, and next that of blood, cast up into the air and water, (as angry with both elements, which have brought thither such weak hands for his destruction,) he at length yieldeth his slain carcass as meed to the conquerors. They tow him to the ship with two or three shallows, made fast to one another, and then, floating at the stern of the ship, they cut the blubber or fat from the flesh, in pieces three or four feet long, which after, at shore, are cut smaller, and boiled in coppers; which done, they take them out and put them in wicker baskets, which are set in shallows half full of water, into which the oil runneth, and is thence put into butts. This whale fishing is yearly now used by our men in Greenland, with great profit. The

It was ordered that men be raised to go to Albany or elsewhere, to join with the forces of New York, Massachusetts, Connecticut, &c., against the common enemy.

ordinary length of a whale is sixty feet, and not so huge as *Olaus* hath written, who also maketh the moose as big as an elephant.

“The proportion of this huge leviathan deserves description, as one of the ‘greatest wonders of the Lord in the deep,’ whereon himself so much insisteth (Job 41 : 12) ‘that He will not conceal his parts, nor his power, nor his comely proportion.’ The whale that we here speak of, is the great bay whale, — for there are many other kinds, — the Trompo, which hath two trunks or breathing holes on his head, (whereas the bay whale hath but one,) whose brains are said to be the spermaceti; the Iuburte, which hath a fin on his back dangerous to boats, exceeding swift and little profitable; besides other kinds. This is the most simple and useful; the greater and fatter, the more easily taken. His head is the third part of him, his mouth (O, hellish wide!) sixteen feet in the opening, and yet out of that belly of hell yielding much to the ornaments of our women’s backs, — the whalebones or fins being no other than the rough and inner part of the mouth, closing in the shutting thereof, as the fingers of both hands within each other. Of these fins are five hundred, from the length of fourteen feet or more, in less and less proportions; he hath no teeth; his meat he sucketh; his tongue is monstrous great, of deformed form, like a wool sack, about eight tun weight, and one part thereof used to this purpose yieldeth from six to eleven hogsheads of oil. His food (that nature might teach the greatest to be content with little, and that greatness may be maintained without rapine, as in the elephant and whale, the greatest of land creatures and sea monsters) is grass and weeds of the sea, and a kind of water worm like a beetle, whereof the fins in his mouth hang full, and sometimes little birds; all which, striking the water with his tail and making an eddy, he gapes and receiveth into his mouth; neither is any thing else (Master Sherwin hath seen them opened, and opened this unto me) found in their bellies. This great head hath little eyes like apples, very little bigger than the eyes of an ox, and a little throat not greater than for a man’s fist to enter, and that with huge bones on each side not admitting it to stretch wider. His body is round, fourteen or sixteen feet thick. . . . They are swallow-tailed, the extremes being twenty feet distant. They have but one young at a time, which is brought forth as in beasts, about the

The Cape towns responded to repeated calls, by furnishing their required quota of soldiers;¹ as also of moneys assessed² to meet the expenses of an unsuccessful expedition.³

bigness of, but longer than, a hog's head. The female hath two breasts and teats, with white milk in them, not bigger than a man's head, wherewith she suckleth the young, whereof she, as the moose also, is very tender. They killed one, and could not get the young one from it. There hath been made seven and twenty tun and a pipe of oil out of one whale;—ordinarily sixteen tuns, but much is wasted for haste in that store. The English are grown as expert in this business as the Biscainer. They never lost a man in this action, but one only this last year."

¹ The number of men first required was, of Barnstable, 5; of Sandwich, Yarmouth, and Eastham, 4 each; and of Manamoyet and Saconessitt, 1 each; but soon again it was "ordered that 200 soldiers be raised for Canada," of which "Barnstable County shall furnish 46, viz.: Barnstable, 12; Sandwich, Yarmouth, and Eastham, 10 each; and Manamoyet and Saconessitt, 2 each;" also "that 50 Indian soldiers additional be raised, of which Barnstable County shall furnish 22." It was further "ordered that one third the military in each town shall take their arms with them to meeting on the Lord's days."

² The debt incurred by the Plymouth Colony, as its share of the expenses of the campaign, amounted to £1350; the proportion for the County of Barnstable was £452 4s. 9d.; and for the several towns as follows:—

Barnstable, £112 10 0. Sandwich, £93 15 0. Manamoyet, £18 18 9.
Yarmouth, 104 2 9. Eastham, 93 19 6. Saconessitt, 15 3 9.

The ratable estate of the colony at this time was—

Plymouth, £2260.	Yarmouth, £2777.	Taunton, £2689.
Scituate, 4360.	Sandwich, 2500.	Rehoboth, 2117.
Marshfield, 1804.	Eastham, 2506.	Dartmouth, 2200.
Duxbury, 1500.	Rochester, 367.	Swansey, 1500.
Bridgewater, 1430.	Monomoy, 505.	L. Compton, 2000.
Middleboro', 582.	Saconessitt, 405.	Freetown, 349.
Barnstable, 3000.	Bristol, 1049.	

³ The journal of Maj. Gen. Walley is to be found in Hutchinson's History of Massachusetts Bay, containing a full account of the campaign.

The General Court appointed "to view and inspect whales" Mr. Skiff, of Sandwich, and Capt. Lothrop, of Barnstable; and also passed "an order to prevent contests and suits by whale-killers." It was further "ordered that hereafter the court associates, or judges, shall be chosen by the freemen;" also "that the two chosen for Barnstable County shall reside one in Sandwich and one in Eastham." Messrs. Stephen Skiff and Jonathan Sparrow, who had each held the office by appointment, were now elected and continued in office.

In 1691, Gov. Hinckley was reëlected; Mr. William Bradford was deputy governor; and John Freeman, John Thacher, John Walley,¹ and others were

¹ Maj. Gen. WALLEY was thus assistant from 1684 to the time of the Union, when he was elected to the Council. It is regarded as honorable to him that when named as one of *Andros's* Council he declined to act. It may perhaps, in view of the disasters of the expedition against Quebec in 1690, be considered as unfortunate for him that he was selected to command the land forces sent against that place; still, history records that his appointment subsequently as judge of the Superior Court was in consideration of his military services. He continued to occupy a place on the bench from his appointment in 1700 till his resignation in 1711. He died in Boston, Jan. 11, 1712, at the age of 68; and it is conceded that this high trust (as also others reposed in him by his country) was executed with ability and fidelity. For uprightness and candor, gentlemanly bearing and honorable and virtuous life, his memory is embalmed; and it is worthy of note that among the descendants of the early ministers of the Cape have been so many whose exemplary and useful life was a deserved tribute to their pious ancestry. It is proper to remark that Mr. Walley had in 1680 removed to Bristol, of which place he was one of the founders. The portrait of him which we present on the opposite page may not be regarded as a fair exponent of the appearance of the *man*; for, though doubtless a faithful likeness of him at the time when it was painted, it was executed when he was but a *youth* of twelve or fourteen years. It is interesting, however, as the only portrait extant of any of the earlier Walleys; and serves to show what in those days

assistants. The court electing them, June 2, was the last Court of Election that was ever held in Plymouth. The Plymouth and Massachusetts Colonies now became one government. The charter, signed October 7, provided that four, at least, of the twenty-eight councillors must be "from the territory formerly called New Plymouth."

The towns and plantations in Barnstable County at this date, were Sandwich (*Shaume*); Yarmouth (part of *Mattachiest*, and *Nobscusset* which became Dennis in 1793); Barnstable (*Cummaquid* and part of *Mattuchiest*), — each inc. in 1639; Eastham (*Nauset*, *Pononakanit* which became Wellfleet in 1763, and *Namskeket* which became Orleans in 1797), — settled in 1646 as Nauset and inc. in 1651; *Saconessit*, 1686, inc. as Falmouth; *Sancktuot*, 1640; *Monamoyick*, 1686; and *Pamet*: plantations from which were derived Harwich in 1694, Truro in 1709, Chatham in 1712, Provincetown in 1727, and Brewster in 1803; with Mashpee (*Massapee*), an Indian plantation. Besides these was Rochester (*Sippecan*, including part of Wareham, inc. 1739), — afterwards transferred to Plymouth County after a temporary annexation to this.

Taxes had again been levied on all the towns, to pay the expenses of the war with the French and Indians in Canada; and soldiers required to be raised. The emission of bills of credit resorted to by the General Court to pay the expenses of the army, was a measure

was the style of dress in which even boys of distinguished family appeared. The peculiar antiquated garb, with the huge wig, would excite the risibles of the beholder at the present day. For the engraving so courteously granted at our solicitation, we are indebted to the liberality of Hon. Samuel H. Walley. For family genealogy, see pp. 290-2.



L. Grosvenor & Co. Boston

John Walley

MAJ. GEN. JOHN WALLEY

B. 1654; D. 1712.



fraught with much evil, as was afterwards developed.¹ A call was also made on the several towns to defray their several proportions of the expenses of obtaining a new charter.

Liberty was granted to Monomoyick, Feb. 11, to elect and send a representative to the General Court, and the next month, by special act, the bounds of Monomoyick were enlarged. The associate magistrates for the county were again Sparrow and Skiff.

The charter granted by William and Mary in 1691 united the colonies of the Massachusetts Bay, New Plymouth, the Province of Maine, the territory called Acadia or Nova Scotia, and all the tract of land lying between the territories of Nova Scotia and the Province of Maine, into "one real province, by the name of our Province of the Massachusetts Bay in New England." The language of said charter being, "Of our especial grace, certain knowledge, and mere motion, we have given and granted, and by these presents, for us, our heirs and successors, do give and grant unto our good subjects, the inhabitants of our said province or territory of Massachusetts Bay and their successors, all that part of New England in America, lying and extending from the great river commonly called Monomack, alias Merimack, on the north part, and from three miles northward of the said river to the Atlantic, or Western Sea or ocean on the south part, and all the lands and hereditaments whatsoever lying within the limits aforesaid, and extending as far as the outermost

¹ These notes of credit were, by act of court, made a legal tender in all payments. The bills suffered, as might have been expected, a heavy depreciation, and the loss falling severely on the soldiers in whose hands part of the emission was held, caused much discontent and not a little suffering.

points or promontories of land called Cape Cod and Cape Malabar north and south, and in latitude, breadth, and in length and longitude, of and within all the breadth and compass aforesaid throughout the main land; then from said Atlantic or Western Sea, and ocean on the east part towards the South Sea, on westward as far as our Colonies of Rhode Island, Connecticut, and the Narragansett country," &c. "To have and to hold the said territories, tracts, countries, land, hereditaments, and all and singular other the premises, with their and every their appurtenances to our said subjects the inhabitants of our said Province of the Massachusetts Bay in New England, and their successors, to their only proper use and behoof forevermore, to be holden of us, our heirs and successors, as of our manor of East Greenwich, in the county of Kent, by fealty only in free and common soccage."

CHAPTER XVI.

Arrival of the new Charter, and Assumption of Government by Sir William Phipps. — Harwich incorporated. — Phipps superseded. — Passing Events. — Pirates. — Earl of Bellamont. — Extension of Cape Settlements. — Gov. Stoughton. — Gov. Dudley. — The Fisheries. — Monamoyick. — Bills of Credit. — Dangerfield incorporated, and name changed to Truro. — Chatham incorporated. — The Precinct of Cape Cod.

IN 1692, May 14, Sir WILLIAM PHIPPS arrived, with his commission as Governor-in-Chief under William and Mary, bringing with him the new charter, and at once assumed the government. Warrants were issued to the several towns, ordering the election of representatives under the new constitution, to serve in the General Court to be held in Boston, June 8. Although there was still felt much reluctance, and, in fact, some spirit of opposition to the new order of things, there was soon a very general, and, it may be said, finally grateful acquiescence, so that the new PROVINCE OF MASSACHUSETTS BAY proceeded to the exercise of its charter privileges, and the happy amalgamation of the two colonies as one province was duly perfected.¹

By the charter, that part of the province formerly the Plymouth Colony became entitled to four council-

¹ Though distinguished individuals, and perhaps not a few, were at first dissatisfied with the union, the event caused no serious disturbance; and it may be confidently asserted was at no period a subject of regret with the people generally. "Gov. Hinckley was well reconciled to the measure, notwithstanding his favor to it brought upon him some odium."

lors. Gov. Hinckley, Gov. Bradford, John Walley, and Barnabas Lothrop were elected.¹

The old General Court of the Plymouth Colony met once more, the first Tuesday in July, and appointed a fast for the last Wednesday in August; it was their last act. Thus the present year dates the extinction of a government that had continued in existence under memorable circumstances seventy-one years.² Whatever faults it may have had, on its primitive foundation was laid a structure of government which thousands of successive generations have been ready to claim was "distinguished for good order, peace, liberty, intelligence, sound morals, religious reverence, and, at least in its later years, religious toleration."³ It is not for

¹ The selection of councillors caused some feeling and elicited not a little animadversion. The men selected, it could not but be admitted by all, were highly respectable and eminently qualified; but *two* of the number being from Barnstable County, and a *third* formerly of Barnstable, was a circumstance thought by many to be a corroboration of the charge that had been made against Gov. Hinckley of having secretly favored the union.

² The fact that the Plymouth Colony had but six governors by its own election, during a period of seventy-one years, shows, as has often been remarked, "a presumption that men of virtue and well fitted for their station were selected."

³ Some will have it that the Plymouth and Massachusetts men are usually confounded the one with the other, quite to the detriment of the former. It is said that the Massachusetts Colony, which began nine or ten years later than the Plymouth, was composed of a class of people widely different in many respects; that at the head of the Massachusetts enterprise was Endicott, whose spirit contrasted strongly with that of Bradford and others, and that, but for the urgent appeals of Massachusetts, Plymouth would doubtless have exhibited less of the intolerant spirit than it did. They insist that Massachusetts' influence prevailing in some degree for a time, the Plymouth government sometimes erred; but that Massachusetts was not long permitted to continue in the ascendancy, the more moderate principles

us to suggest, in this place, exceptions or abatements. We admire the devotion — sometimes enthusiastic, always fervent — of those whose mission seems to be to espouse and defend the “Pilgrim cause.” We think the candid will not deny that the primitive foundation of government of which we have spoken, must ever be regarded as the true base on which has continued to rest our most glorious institutions. Certainly — not to claim the entire honor exclusively for the “Old Colony” — under the auspices of the two governments which this year passed away, institutions (civil, literary, and religious) by which New England has been ever distinguished, began — the holding of lands free of soccage ; the right of general suffrage ; the establishment of towns with a local legislature called the “town meeting,” with its peculiar executive styled “select-

of the Plymouth Colony diffusing their influence among the confederate sister colonies. That the Plymouth Colony did much to shape the character of other colonies, and that its influence was potential, all must admit ; and we have already expressed our own conviction that this colony, for moderation and consistency of purpose, will compare favorably with some others. The comparative merits or demerits of each we do not feel ourself called upon to discuss in full. It is sufficient for us, that, if we except Gov. Prince and a few others, who also had many excellent traits, the influence of the CAPE was always favorable to the liberal side. Gov. P. was only a sojourner among us for a season. His administration it becomes us, however, in stern justice, to say, was at an inauspicious and perplexing period ; and yet no government, notwithstanding the difficulties in the way, pursued a course more steady in the promotion *generally* of the substantial interests of its constituents than did his. During the sixteen years of his magistracy, there was indeed very much to applaud. His anxious efforts to promote the establishment of schools of a higher grade than had before existed, and his solicitous attention to the honorable support of an able ministry, are to his honor ; and his integrity, energy, industry, and usually good judgment, are proverbial.

men ; ”¹ the system of common schools, giving to every child, rich or poor, the advantages of education ; and also, at last, the right of the congregation to a voice in the selecting of their religious teacher.²

¹ “ Many learned have, in labored treatises, endeavored to prove the doctrine that the rights of man are inalienable, and nations have bled to defend them ; yet, in the dark ages of superstition and despotism, when no tongue dared to declare and no pen to write this bold doctrine, which was then as much in defiance of the common opinion as with actual power, of which the monarch was then held to be the sole fountain, (and the theory was universal that all popular rights were granted by the crown,) in this remote wilderness, among a small unknown band of wandering outcasts, the principle that the will of the majority shall govern, was first conceived and was first practically exemplified. Our forefathers, from their belief in primitive Christianity, the force of circumstances, and the pure moral feeling which is the offspring of true religion, discovered a truth in the science of government which had been concealed for ages. On the bleak shore of a barren wilderness, in the midst of desolation, with the blasts of winter howling around them, and surrounded by dangers in their most awful and appalling forms, the Pilgrims of Leyden laid the *foundation* of AMERICAN LIBERTY. Those who came after them had imbibed the same views and principles of civil government.” — *Baylies's New Plymouth*.

² We cannot, of course, say, as is sometimes asserted, that “ under their auspices was erected the first building for the worship of God, and the first religious assembly gathered in New England ; ” for the fact, as shown, p. 67, is otherwise. We cannot say, either, that up to this time nothing was lacking in respect to religious freedom. Under the new order of things, this good work was facilitated ; and yet it was not now at once perfected. It required some trouble, some yielding of former opinions, some time. Dr. Increase Mather, in his account of the negotiations for the new charter, says, “ Religion is secured : for liberty is granted to all men to worship God after the manner which, in their consciences, they shall be persuaded is the most scriptural way. The General Court may, by laws, encourage and protect that religion which is the general profession of the inhabitants.” Hence, at the first General Court, an act passed “ establishing all the local laws of Massachusetts Province, until other provision

Gov. Phipps had, in his administration of the provincial government, the advantage of having been nominated by the colonial agents themselves; his career, therefore, was quiet and peaceful.¹

In 1694 new regulations for the mackerel and other fisheries were made by the General Court; and HARWICH was incorporated, Sept. 14, and allowed as a township.

Gov. Phipps, who appeared to the close of his administration to have at heart the best interests of New England, was now recalled, and sailed for England in November.²

shall be made," there being nothing in the new charter of an ecclesiastical constitution. By this act of the General Court, the former platform of church discipline was established; the law, however, was disapproved in England. Therefore, at the next session, it was enacted "that the respective churches in the several towns shall at all times hereafter use, exercise and enjoy all their privileges and freedoms respecting divine worship, church order and discipline, and shall be encouraged in the peaceable and regular profession and practice thereof." An attempt was soon made to continue the practice of appeal to the General Court in ecclesiastical controversies; but the court refused. Some steps were taken, about thirty years after the union, for calling a synod; but the royal instruction prevented any further progress. So that, touching the matter of entire religious freedom, the progress made, it must be confessed, was very much owing to the force of circumstances.

¹ The nomination of the first governor under the new charter was left by the crown entirely to the agents then in England, the only restriction being that "he must be a military man." The crown aimed at making the charter acceptable.

² Gov. PHIPPS was born in Bristol, Me., the son of a gunsmith in humble circumstances, and of a mother who had twenty-six children, twenty-one of whom were sons! The governor's life was truly one of adventure. After living in the wilderness until eighteen years of age, he bound himself to a ship-carpenter. When his apprenticeship

Early in 1695, RICHARD, Earl of BELLAMONT, was appointed to succeed Gov. Phipps; but not arriving for some time, Lieut. Gov. William Stoughton officiated as commander-in-chief. Nothing of great interest as regards the Cape appears on the record. Mr. Shearjashub Bourne of Sandwich had liberty granted him to purchase land of the Indians, one tract lying near his house, and another at Waquoit; and Capt. William Bassett and Mr. Shubael Smith were appointed by the court "to assist the Indians in the sale, and to see that they receive a good and valuable consideration." It is not certainly known at what period the whipping-post and stocks, as by law provided, were introduced to these parts; but these coadjutors in the punishment of crime, generally pronounced the relic of a barbarous age, were now required to be established in every town.

In 1696, some difficulty existed in several of the Cape towns in enforcing the payment of their quota of the expenses of building bridges in the town of Plymouth; the inhabitants of the Cape regarding the decree

of four years had expired, he went to Boston, and there learned to read and write. Determined to seek his fortune upon the sea, he, after a variety of adventures, discovered a Spanish wreck on the coast of Hispaniola, and fished up plate, pearls, and jewels, amounting in value to £300,000 sterling, with which he sailed to England in 1687, and was knighted by King James. Returning to Boston, he commanded an expedition against Port Royal, which place he captured. Phipps was evidently not only a man of energy, but of strong mind. On being appointed governor, one of his first acts was to put a stop to prosecutions for witchcraft. He was, however, of an irascible temper, and did not hesitate to settle a personal controversy with sturdy blows. For this he was recalled. He is represented, notwithstanding the violence of his temper, as a man of the kindest feelings, unassuming in his manners, and of strict integrity. He died Feb. 18, 1695, soon after his recall, æ. 44.

of the justices of Quarter Sessions to be contrary to the laws of the province, Plymouth being in another county. A French privateer fitted out at Bordeaux, and cruising on the American coast, was wrecked in Buzzard's Bay, and the crew were made prisoners and taken to Boston. On board this vessel was Dr. Francis Le Baron, a skilful surgeon and physician, whose liberation was asked by the inhabitants of Plymouth that he might practise his profession in that town.¹

In 1697 the treaty of peace at Ryswick put an end for the present, happily, to the French and Indian war. A committee was appointed by the court "to view a place for a passage to be cut through the land in Sandwich, from Barnstable Bay into Manomet Bay, for vessels to pass through and from the western parts of the country, it being thought by many persons to be very necessary for the preservation of men and estates, and that it will be very profitable and useful to the public." This committee consisted of Messrs. John Otis, William Bassett, and Thomas Smith, who were instructed to report to the General Court at its next session. And Mr. William Bassett² having petitioned, in behalf of

¹ From him were descended those of the name in Plymouth, as also the venerable and excellent Rev. Lemuel Le Baron, settled in Rochester (Mattapoiset) in 1772.

² The ancient family of Bassetts has been one of prominence and high respectability in the colonies. Mr. WILLIAM BASSETT, above, sometime known as colonel, and then esquire, chief marshal 1689 to 1692, representative from Sandwich many years, judge of the Common Pleas, and register of Probate, a man of much distinction, was descended from WILLIAM, who came over in the Fortune, 1621, one of the "purchasers," first in Plymouth with his wife Elizabeth and son William, Jr. and daughter Elizabeth, having part in the division of cattle in 1627; then of Duxbury, and deputy 1640, 3, 4, 5, 8; then one of the proprietors of, and first permanent settlers in, Bridge-

the town of Sandwich, for "the approbation and allowance of the allotment and division made by the inhabitants of said town of the two tracts of land known as Scauton and Shaume Necks, Mr. Thomas Hinckley, Maj. John Thacher, and Mr. John Bradford were appointed to inquire into the matter and report." Their report being made, the prayer of the petition was "allowed;" and "for the better supply of said town with grain in this time of scarcity, the full quantity of land

water, 1651. He was a large landholder, and, although a blacksmith, had a considerable library. Judge Mitchell thinks his wife Elizabeth was probably a Tilden. He d. in Bridgewater 1667, and his issue was William, who settled in Sandwich; Nathaniel, first settled in Marshfield, then in Yarmouth 1684; Joseph, who remained in Bridgewater on the paternal estate; Sarah, who m. Peregrine White; Elizabeth, who (Judge M. says m. Wm. Hatch, but Sandwich records say) m. Thomas Burge, Jr., Nov. 8, 1648; and Jane, who, says Emery's History of Taunton, m. Gilbert. The History of Bridgewater says there were, "perhaps," other children. We are inclined to believe that both histories labor under some mistake; but at all events, WILLIAM, eldest son of William of Bridgewater, settled in Sandwich, was a trader and "licensed to draw wines" 1659, a deputy 1662, d. 1670, æ. about 45, and Mrs. Mary adm. on the estate. "Mr. William and Mary" had Mary, Nov. 21, 1654, who m. John Redding, 8 mo. 22, 1676; and William (the marshal) 1656. Both were minors when their father d., and Maj. (Gov.) Winslow and Mr. (Gov.) Hinckley were their respective guardians. WILLIAM, the son last named, b. 1656, afterwards marshal, m. Rachel Willison of Taunton, Oct. 9, 1675, and had Mary, Oct. 20, 1676, who m. Nathan Bourne, Feb. 3, 1698; Rachel, Oct. 25, 1679, who m. Joseph Foster, Sept. 8, 1696, and d. Dec. 12, 1744. No other record of births appears in this connection; but the following were doubtless children of the same, viz.: Jonathan, who d. Dec. 13, 1683; William, who m. Abigail Bourne, Feb. 3, 1709; Nathan, who m. Mary —; Thankful, who m. Matthias Ellis, March 20, 1711; and Jonathan, who m. Mary Gate, May 14, 1708. The last WILLIAM, "son of William, Jr.," who m. Abigail, had Mary, Dec. 24, 1709, who m. Eliakim Tupper, March 28, 1734; William, Nov. 23, 1711, who m. Lydia Smith, Dec. 1,

in said necks improved in tillage the last year" was "allowed to be sown with English grain, only this year, according to the present allotments, and no more land to be broken up." Purchases of land at this time, by the settlers at Eastham, from the Indians at Pamet, prepared the way for a settlement at the latter place.

In 1698, Lieut. Gov. William Stoughton still held the reins of government, the Earl of Bellamont remaining in New York; but the earl arriving in Boston, May

1734; Elisha, Feb. 15, 1714, who m. Ruhamah, daughter of Samuel Jennings, Esq., of Sandwich, Oct. 11, 1739; John, April 11, 1716, who m. Mercy Newcomb, Oct. 24, 1742; Thomas, Jan. 4, 1718, who m. Patrick Tobey, Feb. 13, 1746; Nathaniel, Oct. 15, 1719, who m. Hannah —; Jonathan, May 6, 1721, who m. Mary Freeman, daughter of John F., Nov. 10, 1748; Abigail, "Jr.," 1722, who m. Eliakim Tobey, April 17, 1740; Elizabeth, 1725, who m. Timothy Chipman of Barnstable, Jan. 23, 1752; Nathan, Dec. 17, 1727, who d. 1728; and Hannah, 1730, who m. Isaac Smith, of Kingston, Jan. 23, 1752. ELISHA, above, who m. Jennings, removed to Yarmouth, since Dennis, was called "captain," holding commissions in the royal militia, under Shirley, Pownal, Dudley, and Hutchinson, early surrendering his commission from the crown and taking side with his country as an active and ardent whig, and was representative from Yarmouth to the Provincial Congress three years. He d. 1794, and his issue was Elisha who went to Ashfield; Samuel who settled in West Barnstable; William who m. Betsy daughter of Jonathan Howes, Esq. of Dennis; Lot who went to Ashfield; Lydia who m. Howes and from whom is descended Philip H. Sears, Esq. of Boston; Abigail who m. Howes; and Deborah who also m. Howes. The last WILLIAM, who m. Howes, d. in Dennis, leaving a son only, then a minor, who is the present Francis Bassett Esq., of Boston, graduated at Harvard College 1810, a lawyer, clerk of the District Court of the United States fifteen years to 1846, overseer of Harvard College, &c., who, retaining his partiality for his native Cape, has his summer residence in Dennis. The Bassett family is numerous, and widely scattered over the United States. The genealogy of other branches of the name will be resumed by and by.

26, 1699, the lieutenant governor submitted to his superior in office. Bellamont was popular, much of his attention being directed to the suppression and arrest of pirates infesting the whole Atlantic coast, greatly to the annoyance of all engaged in honest maritime pursuits.¹ During his administration the notorious Capt. Kidd was apprehended, sent to England for trial, and expiated his crimes on the gallows.² There have been vague traditions existing from the time of Kidd's execution, that large treasures of money and other valuables were concealed by him in various localities, and are yet reposing on the coasts.³

¹ Through the greater part of the seventeenth and early part of the eighteenth centuries, the American seas, and especially the Gulf of Mexico, were infested by pirates.

² The earl came over "particularly instructed to put a stop to the growth of piracy, the seas being constantly endangered by freebooters. This Kidd (*William*, not *Robert*, as in song) was an Englishman who had himself undertaken an expedition against the pirates, sailing from New York. Whilst commanding the sloop Ontario, and holding a commission to cruise as a privateer, he turned to be pirate himself, and had now achieved an immense amount of mischief. After a time, burning his vessel, and venturing his presence in Boston, where he supposed his character would not be known, he was seized, and a speedy trial and condemnation in England ensued.

³ That this noted pirate concealed treasures extensively in the sands has at no time received confirmation; but that he had a deposit at Gardiner's Island, N. Y., is evident from the schedule rendered to Bellamont, July 7, 1699, of valuables found, viz.:—

- Bag No. 1. Gold dust, $60\frac{3}{4}$ oz.
- " " 2. Coined gold, 11 oz.; silver, 124 oz.
- " " 3. Gold dust, $24\frac{3}{4}$ oz.
- " " 4. Silver rings and precious stones, $4\frac{7}{8}$ oz.
- " " 5. Unpolished stones, $12\frac{1}{2}$ oz.
- " " 6. Crystal, cornelian rings, agates, and amethysts.
- " " 7. Silver buttons and lamps.
- " " 8. Broken silver, $173\frac{1}{2}$ oz.

Bellamont remained in the colony but fourteen months. At the close of the session of the General Court in 1700, he returned to New York, and left the lieutenant governor again in power.¹ No remarkable event of public interest which need find a place in our present history marked this second period of Stoughton's administration, save that the scarcity of money was seriously felt here as every where. The interests of the Cape, however, prospered. A meeting of "the proprietors of Pamet" was held February 4, and some differences being amicably adjusted, the progress of the settlement of this part of the Cape was accelerated.

The year forms the epoch of the organization of the first church in Harwich, and the settlement of the Rev.

Bag No. 9.	Gold bars,	353 $\frac{1}{4}$ oz.
" " 10.	Gold bars,	238 $\frac{1}{2}$ oz.
" " 11.	Gold dust,	59 $\frac{1}{2}$ oz.
" " 12.	Silver bars,	309 oz.

These several bags and their contents were delivered to the government. There has been much digging, at different periods since, for Kidd's treasures, not on Gardiner's Island only, but on different parts of the coast and on the banks of some of the large rivers. The mania for this species of gold digging doubtless received increased impetus from the fact that a large sum of money, chiefly foreign coins, were seized about the time that the treasures of Kidd were revealed, found in the possession of one Smith; and from the apprehension of one Bradish, of London, who, with his piratical crew, had deposited large sums of money on Long Island and elsewhere.

¹ Gov. BELLAMONT had the good fortune to make himself generally popular in his governments. A nobleman of polished manners, and a friend to the revolution in England which had excited so much joy in the colonies, he was also a great favorite of King William. The governor was received in this colony with unusual parade, and during his stay much respect was shown to him. He evidently took pains to ingratiate himself with the people. He died in New York, March 5, 1701.

NATHANIEL STONE as pastor. The pastorate, we shall find, was protracted through fifty-five years. The year is also marked by the decease of that estimable and venerable man, Rev. THOMAS THORNTON, formerly the minister of Yarmouth.¹ Before we proceed farther with the events of the century before us, it may be well to record some of the other changes of the past, of an ecclesiastical nature, since the influence of the ministry in the early days of the colony was so intimately interwoven with the entire progress of society. The ministry of Rev. JOHN SMITH of Sandwich, greatly protracted, had ceased by reason of death, and was succeeded in 1691 by that of Rev. ROLAND COTTON. That of the aged Thornton was committed alone to his former colleague, Rev. JOHN COTTON. That of the pious Walley was, in 1683, succeeded by the ministry of Rev. JONATHAN RUSSELL, whose prolonged labors were in the then unrevealed orderings of Providence to be followed in 1712 by a son bearing the same name, fulfilling also a lengthened pastorate, and inheriting all

¹ Rev. THOMAS THORNTON was in Plymouth Colony prior to June 18, 1663, from which date he continued in the ministry at Yarmouth to 1693. In 1691 he received as colleague Rev. John Cotton; but, two or three years after, the infirmities incident to extreme age led him to yield to the kindness that always awaited him of the welcome of a happy home in the bosom of the family of his son Timothy, at that time a prosperous merchant of Boston, at whose house he died, Feb. 15, 1699-1700, aged nearly 93. Of this excellent pastor, the scenes of whose closing life were a beautiful comment on his protracted and useful ministry, we have much to say, not merely as the record of a faithful pastorate, and as presenting a lovely picture of the blessing that hallows the last days of an aged saint, but as affording an interesting view of the times and manners of the period in which he lived. But this, with a genealogical notice, we must for the present defer.

his father's virtues. The devotedly faithful and laborious Rev. SAMUEL TREAT of Eastham, settled in 1672, and who had been preceded by Rev. John Mayo and Rev. Thomas Crosby, was still working on and waiting on his ministry until, as in 1715, he should be called to his reward. And in Falmouth the labors of Mr. SAMUEL SHIVERICK were, with the century, begun.

The decease of Gov. Stoughton occurring in 1701, the duties of government devolved on the COUNCIL, which was in fact the administration until June 11, 1702, when Gov. Joseph Dudley, appointed by Queen Anne, arrived.¹ Difficulties again arose between England and the French and Indians.² The new governor applied himself to the duties of his station with great diligence, but instructions from the crown to procure an act of court rendering his salary and that of the lieutenant governor permanent, occasioned a controversy with the legislature reaching into the administrations of his successors.

A law of the province was enacted requiring all fishermen to report under oath to the town clerk, in their respective towns, the quantity of fish and oil obtained in each and every voyage; also providing that any person or persons who shall find on the sea shore any wreck or lost property shall report the same to the proper authorities. A movement being made for the

¹ Lt. Gov. STOUGHTON was an aged man, and possessed of the confidence of the people. A grad. of H. C., 1650, he was a preacher in Eng. many years, and coming back to New Eng. in 1662, preached the election sermon in 1668. Esteemed a man of great learning, integrity, prudence, patriotism and piety, he d. a bachelor, July 7, 1701, aged 70, and left £1000 to Harvard College, besides various other charitable bequests.

² This war, in the reign of Queen Anne, lasted from 1702 to the peace of Utrecht in 1713.

establishment of a new town to be taken from the town of Harwich, and a petition to that effect having been preferred by Gershom Flag, Benjamin Hall, Samuel Hall, Manoah Ellis, Joseph Sufferance, and Samuel Nickerson, in behalf of themselves and their families, it was "ordered, that the sd. 6 families shall first defray their part of the arrears of all past charges in the sd. town of Harwich, and, there being a learned minister settled there, shall continue to belong to sd. town until there shall be a learned orthodox minister settled at Monamoiett,¹ — when this court may take further order."

In 1704, the further redemption of bills of credit which had been issued at different times to meet the exigencies of the disastrous expedition of 1690 against Canada, and which were punctually met until the present time, was deferred by order of court. Gold and silver had become almost extinct in the province, and paper money having sadly depreciated, the usual commercial troubles, of course, ensued.

In 1705, it was ordered by the General Court that "the part of the Cape lying below Eastham, and known as the Indian Pamet, shall be a separate town² by the

¹ Conflicting views and interests seemed to have caused frequent disputes between the settlers at Monamoiett and the town of Harwich; as also between Monamoiett and inhabitants claimed as within its bounds. Very soon, subsequent to the above order of Court, we find Isaac Atkins, John Ellis, Beriah Broadbrook, and Joseph Sufferance setting forth in a petition to the court, that "they have paid their taxes to Harwich, and that the constable of Monamoiett has seized upon their property for like taxes at the latter place," and asking for relief.

² We follow the record; but a district was evidently intended;

name of *Dangerfield*.”¹ That part of the Cape below Pamet, subsequently known by the name of Provincetown, but hitherto known only by the cognomen “Cape Cod,” was evidently the resort of many, and the residence of not a few, engaged in mercantile adventures, at an early period. The existence of ruins of substantial buildings and other circumstances indicate this, as we shall show hereafter.² Rev. JOHN COTTON, the minister of Yarmouth, died the first month of this present year.

In 1706, April 25, died suddenly, in Barnstable, Gov. THOMAS HINCKLEY, at the advanced age of 86; a gentleman of distinguished reputation and of great energy of character, who, as we have seen, filled a large space in the history of the county of Barnstable, and especially in the affairs of the Plymouth Colony. In truth it may be said, it was his to fill a large space in the *world's* history. He had stood by the cradle of the colony in

quasi a town, yet associated with Eastham. The title of a subsequent act, 1709, is “An Act making Pamet, a district of Eastham, a township to be called Truro.”

¹ This name, it is to be presumed, was not inflicted because of any especial hostility manifested at any time on the part of the Pamet Indians, who were ever friendly and well disposed towards the early settlers; but was proposed in view of the dangers that beset navigation at this locality. The name, however, as will appear, was ephemeral, being soon exchanged for another supposed to be in better taste—at least more agreeable to the people resident there and petitioning for town privileges.

² The following letter is indicative of the position and importance of the ancient Cape Cod proper at this time, and shows also that there were *some* who were not only willing to receive civil distinction and emolument, but disposed to prefer their own claim for promotion. The letter is interesting historically, though perhaps it may not at the present day be regarded as best fitted for a place in the pages of “The Com-

its infancy, and "had been, from first to last, the associate, in weal or woe, of its great and good men, and

plete Letter-writer." We give it *verbatim et literatim* as thus furnishing the best evidence of the disinterested patriotism of a successful office-seeker more than one hundred and fifty years ago:—

"CAP COD, July 13th 1705.

"SQUIER DUDLY.

"Sir:—After all due sarvis and Respecks to your honnor wishing you all hapynes boath hear and hear after I mack bould to inform your honnor that i have liveed hear at the Cap this 4 year and I have very often every year sien that her maiesty has been very much wronged of har dues by these contry peple and other whall men as coms hear a whalen every year which tacks up drift whals which was neuer killed by any man which fish i understand belongest to har magiesty and had i had power i could have seased severl every year and lickwies very often hear is oportunyty to seas vesels and goods which are upon a smoglen acompt i belive had i had a comishon so to do i could have seased a catch this last weak which had most of thar men out landish men i judge porteges she lay hear a week and asloop i beleve did thar bisnes for them: sir I shall be very Redy to sarvef har magisty in Either of thes or any thing els that i may be counted worthy if your honor see case to precure a commishon of his Exalency for me with in strocktions I shall by the help of god be very faithful in my ofes one thing mor i mack bold to inform your honnor that hear are a gret meny men which goues fishing at this harbor and som times the french coms hear and then every one rous his way becas thay have no one to heed them i my self haue ben a souferar since i liveed hear being cared a way by a small slop and hear was 130 men and severl brave sloops and no hand a capt about 12 miles distance. but we may be all tacken at the Cap and he no nothing of it i levef it to your honnors consideration and mack bold to subskribe my selef your hombed and unwothy sarvnt

WM. CLAPP.

"Sir I am astranger to your selef but if you plesse to inquier of Capt Soethwark ann he can in form your honnor whether i am capebel of any such sarvis.

"To the honnored Mr. Pall Dodly Eisquier att Boston."

The letter is indorsed by the Gov'r,—"Commission for William Clap, Lt. at the Cape.—Warrant to prize drift whales, a water baylif.—Letter from the Custom House.—Lives at Cape Codd."

had lived, himself the chief among the surviving, to see the last chapter written in its immortal annals.”¹

¹ Gov. HINCKLEY was the son of Mr. Samuel H., who came from England to Boston, 1634; was in Scituate in 1636; removed to Barnstable in 1639, and d. Oct. 31, 1662, having been a very prominent man in public affairs. Gov. H. was b. in 1618. He came with his father to Barnstable, and was early and constantly prominent in town affairs,—a deputy as early as 1645, a magistrate and assistant in the colony from 1658 to 1680, and gov. in 1681, continuing in office, except as interrupted by Andros, until the union of the colony with Mass. in 1692. He was also one of the two commissioners for Plymouth colony in the General Board of the United Colonies from 1678 to 1692. Under the administration of Andros he was appointed as one of the Council. His acceptance of a seat in council under an administration and policy that suspended the ancient rule, was deeply regretted by many of his friends. It has been contended, however, that he was too good a patriot to approve of the arbitrary, vexatious and oppressive measures of Andros and his adherents, and retained his seat at the Board for worthy purposes, hoping to stay or qualify by his influence the obnoxious proceedings of the crown. That he was honest, as well as energetic, we think there can be no doubt from a review of his whole course, although his policy at this juncture has ever since been questioned. Gov. H. d. æ nearly 87. His first marriage was Dec. 7, 1641, to Mary, dr. of Thos. Richards, who d. June 24, 1659, and he m. second Mary, wid. of Nath'l Glover of Dorchester, Mar. 16, 1659–60. She was a dr. of Quartermaster Smith, who came from England with his family in 1635. She has been commended as a Christian gentlewoman, “of uncommon excellence and great accomplishments.” Prince, the historian, who was her grandson, says, “To the day of her death she shone in the eyes of all as the loveliest and brightest for beauty, knowledge, wisdom, majesty, accomplishments and graces, throughout the colony.” She d. July 29, 1703. By these two marriages, Gov. H. had a numerous family,—Mary, 1644; Sarah, 1646; Melatiah, 1648; Hannah, 1650; Samuel, 1652; Thomas, 1654; Bathsheba, 1657; Mehitabel, 1659; Ebenezer, 1661; Mercy, 1662; Experience, 1664; Jchn, 1667; Abigail, 1669; Thankful, 1671; and Ebenezer and Reliance, 1673. It is said there was yet another daughter by the second m. who d. young; if so, his issue numbered seventeen. The father of Gov. H., whose wife Sarah d. Aug. 18, 1656, m. 2d. Bridget Bodfish, Dec. 15, 1657. He

In 1707, and for a number of years, the French and Indian war — in great degree, so far as some portions of New England were affected by it, literally and almost exclusively an *Indian* war of a merciless character instigated by the French — continued to make exactions upon the people, and its influence was not unfelt upon the Cape.

In 1708, a representation was made to the General Court by the Court of General Sessions, in regard to the ministry of Sandwich¹ and Falmouth; and £20 was appropriated to Falmouth “towards the settlement of a minister.”² This year also witnessed the settlement of Rev. Daniel Greenleaf, as successor of Rev. John Cotton at Yarmouth.³

The “District” that was some three or four years since erected by the name of Dangerfield, was, July 16, 1709, on the petition of Capt. Thomas Payne of Pamet, incorporated by the name of TRURO, making the seventh township on the Cape; and, Aug. 1, pursuant

brought to New England four children, and had in Barnstable, Samuel, bap. July 24, 1642, and John, May 24, 1644; perhaps there were others. Gov. Hinckley’s remains were deposited in the old, or upper burying ground, marked by a stone which has attracted the steps of many visitors.

¹ The Rev. ROLAND COTTON was the minister at Sandwich at this time, having succeeded Mr. Smith in 1691. The above probably had reference to inadequacy of support growing out of the depreciation of the currency.

² The Rev. JOSEPH METCALF was at this time officiating at Falmouth, and was continued the minister and pastor until his death in 1723.

³ Rev. JOHN COTTON was bro. of Rev. Roland of Sandwich, and son of Rev. John of Plymouth, who was s. of Rev. John of Boston, who had been the minister of Boston in Lincolnshire, Eng., and came over 1633.

to provision made, the town was organized. It was expressly provided as a condition of its assuming its new position, "that they procure and settle a learned godly minister."¹

A petition being preferred, in 1710, by Simon Popmenot, Joseph Prior and others of Mashpee, "complaining of the town of Barnstable for taking and appropriating Indian lands that were conveyed to the Indians by Wepeepwish and Tookenshashon, sachems, and confirmed by the General Court at Plymouth," Nathaniel Thomas, Isaac Winslow, James Warren and Samuel Thaxter were appointed to visit Barnstable, and "make enquiries about encroachments on the Indians' lands lying about Mashpee and Sautuit Pond, Oyster Islands, and adjacent, or elsewhere."

The "sinews of war" being required notwithstanding the embarrassments of the times, the General Court determined, in 1711, on a "new issue of bills of credit to the amount of £40,000, to be loaned to merchants and others" for a term of years. This system of legislative financiering having been once initiated was, we shall find, "like the letting out of water" over an embankment.

Again an effort was made to secure for Monamoiett incorporation as a township; and, Oct. 19, on the petition of the inhabitants, selectmen and others, order of notice was served on the town of Harwich. The Rev. Jonathan Russell of Barnstable died the present year, Feb. 20, aged 55.²

¹ The Rev. JOHN AVERY was settled here, Nov. 1, 1711, and d. in office, 1754.

² The family of the RUSSELLS (ancient and distinguished—the
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In 1712, June 11, Monamoiett was incorporated with full powers as a township by the name of CHATHAM. The Rev. Jonathan Russell, Jr., this year succeeded his reverend father of the same name as minister of Barnstable.

In 1713, upon a representation made, June 8, £40 was voted "to the town of Falmouth towards building a meeting house; one half to be paid when the frame shall have been raised, and the balance when the edifice shall have been completed."

The peace negotiated at Utrecht this year put an end to the French and Indian war, which during twenty-five years, with an exception of only four or five after the peace of Ryswick, had occasioned continual expense, sacrifice, and alarm, and which had greatly diminished the resources of the country.¹ The emission

lineage in long line of ancestral descent embracing many noble men and challenging a full share of England's best blood) it does not comport with our plan to notice in this place further than to say: Rev. JONATHAN RUSSELL was son of Rev. John, who graduated at Harvard College 1645, was 1st min. at Wethersfield, Ct., and then, 1659, at Hadley, Mass., and who d. in Hadley, Dec. 10, 1692, æ. 85, whose father was John of Cambridge. The minister of Barnstable was the elder son of the former; graduated at Harvard College 1675; ordained Sept. 19, 1683; m. Martha, daughter of Rev. Joshua Moody, of Portsmouth, N. H.; and had Rebecca, July 7, 1681; Martha, Aug. 29, 1683, who d. 1686; John, Nov. 3, 1685; Abigail, Oct. 2, 1687, who m. Nathaniel Otis, 1710; Jonathan, Feb. 24, 1689-90; Eleazer, April 12, 1692; Moody and Benjamin, gem., Oct. 11, 1702, both of whom d. Feb. 12, 1712-13, the same day; and Hannah, Sept. 12, 1707. Mrs. R. d. Sept. 28, 1729.

¹ It has been estimated that for some years, not less than one fifth part of all the inhabitants able to bear arms were in the actual service, whilst those left at home were subject to constant alarms. Many otherwise productive fields lay waste, and navigation was impeded;

of bills of credit had afforded but temporary pecuniary relief and had ultimately "worked the ruin of many." Embarrassed by a heavy public debt, various expedients were proposed and were here on the Cape, as elsewhere, the cause of great anxiety and contention for many years. The party for a public bank finally prevailed, and a new loan of £50,000 was the result.¹

the pecuniary resources of the country were crippled, and the aspect of affairs became exceedingly gloomy. It has been computed that during these wars, as many as 8000 young men, the flower of the country, fell by the sword of the enemy or by the hardships of the war, in New England and New York. Families were every where called to mourn for friends fallen or carried into captivity.

¹ Paper money had become the sole instrument and measure of commerce; for this medium, which was negotiable in the province only, and here of merely ideal value, was all that remained — that which only was adapted to transactions with the whole commercial world, had, as might have been foreseen, disappeared. Still, the evil was not generally attributed to the true cause; and it was thought that increasing the circulation by a new emission of paper would enliven and reform the trade. Parties engaged in angry contention, was the result of differing opinions. One party, quite a fractional minority, were for calling in all the paper emission and depending on a specie currency alone — being utterly opposed to a depreciating medium, on the principle, ancient but too little influential, "*Nil utile quod non honestum*;" another party, very numerous, was in favor of a private bank authorized to issue bills of credit secured by mortgages on real estate; the third party was in favor of a loan of bills by the government to any who would mortgage their estates as security for the repayment of the bills — the interest to be applied annually to the support of government. The controversy every where divided towns and even families. The £50,000 loan, in bills of credit, being decreed, the bills were put into the hands of trustees, and lent for five years at five per cent. interest — one fifth part of the principal to be returned at the end of each year. Great resentment was manifested on the part of the disaffected; and a general fear of the consequences of adhering rigidly to the terms of the loan postponed the composing of the difficulty for many years.

In 1714, the Indians living on the borders of Eastham and Harwich preferred a complaint to the General Court, of trespass on their lands, on the part of these towns; and an investigation was ordered.

The "Province Lands," hitherto in some sense, for municipal convenience, regarded as a part of Truro, were constituted a distinct "precinct," entitled "the Precinct of Cape Cod." No public act of legislation in express reference to this part of the Cape, except that indicated above, was had until the present time. Apprehensions now being entertained that the harbor at this place would be injured by the destruction of trees and bushes which were indispensable in staying the drifting of the sands, an act was passed to prevent the apprehended calamity.¹ It was subsequently ordered,

¹ "An Act for preserving the harbor at Cape Cod, and regulating the inhabitants and sojourners there," was passed as follows:—

"Whereas, the harbor at Cape Cod, being very useful and commodious for fishing and the safety of shipping, both inward and outward bound, is in danger of being damnified, if not made wholly unserviceable, by destroying the trees standing on the said Cape, (if not timely prevented,) the trees and bushes being of great service to keep the sand from being driven into the harbor by the wind, —

"*Be it enacted*, by his excellency the governor, council, and representatives in General Court assembled, and by the authority of the same, that from and after the publication of this act, no person or persons may presume to bark or box any pine tree or trees, standing upon any of the province lands on the said Cape, for the drawing of turpentine, on pain of forfeiting and paying the sum of ten shillings for each tree so barked or boxed, and the turpentine drawn from them, if to be found; one moiety thereof to her majesty for the support of her majesty's government within this province, and the other moiety to him or them that shall inform or sue for the same in any of her majesty's Courts of Record within this province.

"*And be it further enacted*, by the authority aforesaid, that whereas a number of inhabitants are settled upon the said Cape, and many others resort thither at certain seasons of the year to make fishing

May 26, that the line be settled between the Province Lands and Truro; which was done, Sept. 24.¹

The following year, 1715, the people of Truro became restive under the frequently recurring difficulties which grew out of the anomalous position or municipal

voyages there, which has not hitherto been under the government of any town or regulation among themselves, — that henceforth all the province lands on the said Cape be a district or precinct; and the inhabitants there are obliged to procure and support a learned orthodox minister of good conversation to dispense the word of God among them, and to allow him sixty pounds a year maintenance.

“And for the better enabling them to raise and pay the said yearly maintenance, with the assistance of such as sojourn amongst them at the fishing seasons, and have the privilege of the audience with them, —

“*Be it further enacted*, that all and every person or persons coming to abide or sojourn there on fishing or whaling voyages, during his and their continuance and abode there, shall pay fourpence a man per week weekly, to be paid by the master of the voyage or boat, for his whole company, to Ebenezer Dean, who is hereby appointed and empowered to be the first collector and receiver of the said rate or duty, on behalf and to the use of the minister of the precinct. And upon neglect or refusal of any person or persons to make payment as aforesaid, to levy the same by distress, by warrant to him directed from the next justice of peace, said justice being also hereby empowered, upon complaint to him made, to issue forth a warrant of distress accordingly.

“And the said district or precinct is hereby annexed and put under the constablerick of Truro, until this court take further order; and the selectmen or assessors of Truro are hereby directed and empowered to assess and apportion on the inhabitants of the said precinct, from time to time, such sum and so much as the duty as aforesaid laid upon the fishermen shall fall short of making up sixty pounds per annum for the minister, directed as aforesaid, and to make out a warrant, as the law directs, for the gathering of the said assessment.”

¹ An extract from the record is as follows: “Beginning at the easterly end of a cliff near the Cape harbor, called by the Indians Het-sconoyet, and by the English Cormorant Hill, at the jawbone of a

character of the Precinct of Cape Cod; and, on a petition being presented to the General Court by Constant Freeman, the representative of Truro, praying "that Cape Cod (i. e., Precinct) be declared either a part of Truro, or not a part of Truro, that the town may know how to act in regard to some persons," an order of notice was issued summoning the inhabitants of the precinct "to show cause why they do not entertain a learned orthodox minister of the gospel to dispense the word of God to them as required by law." The decease of the Rev. SAMUEL TREAT of Eastham, occurring this year, was much lamented.¹

A petition was also presented from Elisha Hedge,

whale set in the ground by the side of a red oak stump; and thence running by marked range-trees nearly on a north and west line, about half point more westerly, to a marked pine tree standing by a reedy pond called by the Indians Weocknotchcoyissett; and from thence by marked range-trees to a high hill on the back side near the North Sea, with a red cedar post set in the said hill; and thence to run in the same line to the sea; and running back, on the contrary line, to the harbor." The document from which this is an extract was signed by John Otis and William Bassett, committee appointed by the General Court, and by Thomas Mulford, Thomas Paine, Joseph Doan, Hezekiah Purington, Zedediah Lambert, and Samuel Knowles; indorsed, "Thomas Paine, Esq., and Mr. Zedediah Lambert, agents for the proprietors, consenting."

¹ Rev. SAMUEL TREAT, the eldest son of Gov. Robert Treat of Milford, Ct., was one of 21 children by the same father. In 1674, he m., 1st, Elizabeth, daughter of Rev. John Mayo, who in 1655 had been called from Eastham to the pastorate of the Second Church in Boston. By this m. he had 11 children. Mrs. Treat having died in 1696, he m., 2d, Abigail, being "the widow Easterbrook," daughter of Rev. Samuel Willard of Boston. By this last m. he had 3 children, one of whom was Eunice, the mother of Robert Treat Paine, one of the judges of the Supreme Court. Another daughter m. Joseph Greenleaf, Esq., of Boston. Several of his descendants m. in Eastham, but the name has not been continued on the Cape.

John Smith, son and heir to Samuel Smith late of Eastham, deceased,¹ David Meloit, and Hugh Stuart, "of Monomoy, alias Chatham," asking that lands "purchased of the Indians, John and Josephus Quason, in 1694, called Monomoy Beach, with some pieces of meadow, &c., may be confirmed to them." This petition, however, seems not to have been received with favor.

Gov. Dudley, whose administration had been not a little disturbed by various prejudices and conflicts — especially, in the later period, by the annoying controversy respecting the currency of the province, which controversy was wide-spread and agitated the whole community — was, soon after the death of the queen and the accession of GEORGE I., superseded; and WILLIAM TAILER, lieutenant governor, acted, *ex officio*, in the absence of an appointee, in his place.²

¹ It was at this early period necessary thus to distinguish amongst the numerous *John Smiths*. We find the name ubiquitous in the early days, rendering it very difficult to trace the genealogy.

² Gov. DUDLEY, who was superseded in November, was the son of Thomas Dudley, lieutenant governor of Massachusetts in 1630, and afterwards governor. Gov. Joseph Dudley, above, d. in Roxbury, April 2, 1720, æ. 72. "He was an humble Christian and an honor to his country," says one; says another, "He was despotic and dictatorial, and under his administration the people began to feel the change of their charter; but he was learned, and pious, and had many friends." He certainly was a man of much address, allaying in good degree storms that would have overwhelmed most others. The means by which he won popular favor, are suggested in a publication of that day, on this wise: "Besides the caresses of his table, which are enough to dazzle an honest countryman who thinks every body means what he speaks, the influence which preferments and commissions have upon little men is inexpressible."

CHAPTER XVII.

Gov. Shute. — A Singular Project. — A New Town. — Governor's Salary. — Bills of Credit. — Gov. Burnet. — Ecclesiastical Discontents. — Provincetown incorporated. — Courts in Barnstable. — Speculations. — Difficulties with Government. — Gov. Belcher. — Expedition to Cuba. — Land Bank. — Gov. Shirley. — Great Awakening.

SAMUEL SHUTE, who had been appointed to succeed Gov. Dudley, did not arrive in Boston until Oct. 4, 1716. His first and great effort was directed to the promotion of trade, to effect which he recommended another emission of paper money; the final result of which was of course a depreciated currency and still greater embarrassment than before existed. Population, according to official reports, had greatly increased since the colonial charter had been exchanged for the provincial — the Bay State containing 94,000 white inhabitants, 2000 slaves, “and 1200 Indians who professed Christianity and tilled their lands in peace.” Commerce had also increased — “about 160 vessels, of the aggregate burden of 6000 tons, being annually built and forming a good part of the remittances to England. The province owned at least 190 vessels of the aggregate burden of 8000 tons, navigated by 1100 men; besides which, 150 boats employed 600 men in fisheries on the coast.

In 1717, February 6, John Bacon,¹ agent for the

¹ The name of Bacon was early associated with the town of Barnstable. The records show that Mr. NATHANIEL BACON was one of

town of Barnstable, presented a petition to the General Court "for a division of the town into precincts;" and, February 10, "on the petition of Mr. Joseph Crocker and others, Mr. Samuel Sturgis, Melatiah Bourne, Esq.,

the first settlers in that town, his name appearing in the list of early settlers in 1640. Himself a prominent and influential man, his descendants have ever been distinguished for probity—no name standing higher for integrity and moral worth; and among his posterity have been those of prominence in public affairs. There is reason to infer that he was from Stratton, Rutland Co., England. A deputy every year excepting two, from 1652 to 1667, from the town of Barnstable to the General Court, he was then elected an assistant in the government of the Plymouth Colony, and continued in that office by successive elections until his demise in 1673. By his marriage with Hannah, dr. of Rev. John Mayo, Dec. 4, 1642, were Hannah, b. Sept. 4, 1643; Nathaniel, Feb. 5, 1645; Mary, Aug. 12, 1648; Samuel, Feb. 25, 1650–1, who m. Mary Jacob of Hingham and d. Feb. 18, 1680–81, leaving drs. Hannah and Mary; Elizabeth, Jan. 28, 1653–4, who d. 1676; Jeremiah, May 8, 1657; Mercy, Feb. 28, 1659–60, who m. Mr. John Otis, July 18, 1683; and John, June, 1664. The eldest son of the preceding, NATHANIEL, Jr., 2d gen., m. Sarah, dr. of Gov. Thomas Hinckley, March 27, 1673, and had Nathaniel, Sept. 9, 1674, who m. Ruth Dagget of the Vineyard, Nov. 11, 1696; Mary, Oct. 9, 1677, who m. John Crocker, Nov. 5, 1702, and d. 1710; Elizabeth, April 7, 1680, who m. Israel Tupper, Aug. 31, 1704; and Samuel, Jan. 20, 1682. The father d. Dec. 31, 1691; the mother, Feb. 16, 1686–7. JEREMIAH, the 3d son of the 1st Nathaniel, and bro. of the preceding, m. Elizabeth Hawes, Dec. 10, 1686, and had Sarah, Oct. 16, 1687; Anne, 1688; Mary, 1689; Samuel, April 15, 1692; Jeremiah, Oct. 2, 1694; Joseph, June 15, 1695; Ebenezer, March 11, 1698; Nathaniel, Sept. 11, 1700; Job, March 23, 1703; and Elizabeth, Aug. 6, 1705. JOHN, the youngest son of Nathaniel 1st, m. Mary Hawes, June 17, 1686, and had Hannah, 1687; Desire, 1689; Nathaniel, Jan. 16, 1691–2; Patience, 1694; John, March 24, 1697; Isaac, March 29, 1697; Solomon, April 3, 1701; and Jude, Dec. 9, 1703. (We must omit, our note requiring brevity, some *branches* of the family; and defer to the genealogy to be resumed in the annals of Barnstable.) SAMUEL, of the 3d gen., son of Nathaniel, Jr., b. Jan. 20, 1682, m. 1st Mary, dr. of Thomas Huckins, March

and Mr. Samuel Jennings, were appointed "a committee to determine the controversy and settle the bounds between the said town and the Indians," which was accordingly done. A grant was made of

30, 1704; and 2d Sarah, wid. of Samuel Allyn and dr. of Edward Taylor, Jan. 26, 1708, who d. Sept. 25, 1753. He had by 1st m. Ebenezer, March 15, 1705, who d. July 17, 1706; and by 2d m. Ebenezer, Dec. 4, 1708, who m. Lydia Lothrop, and removed with his family to Connecticut; Mercy, May 22, 1710, who m. Jonathan Hallet, Aug. 4, 1744; and Edward, Jan. 23, 1715. EDWARD, the last mentioned, the youngest son of Samuel, and of the 4th gen., m. 1st Patience, dr. of Benjamin Marston, Sept. 2, 1740, who d. Oct. 21, 1764, æ. 44; and 2d Rachel Doane of Wellfleet, Dec. 21, 1765. He had Edward, Oct. 19, 1742, who m. Lydia Gorham, Jan. 28, 1764, and d. Aug. 20, 1811; Lydia, Feb. 5, 1744, who d. April 28, 1745; Nymphas, June 2, 1746, who d. Dec. 6, 1746; Samuel, Oct. 17, 1747, who d. Nov. 7, 1747; James, Oct. 30, 1748, who m. Joanna Hamblen and removed with his family to Freeport, Me., and d. 1803; Susannah, Dec. 13, 1750, who d. March 24, 1753; Sarah, Dec. 25, 1752, who d. April 11, 1776; Susanna, Feb. 14, 1755, who d. infant; and Ebenezer, Aug. 30, 1756. The father of these, Edward Bacon, Esq., d. March 16, 1783, æ. 68, having occupied for many years a prominent position in the town, county, and colony, and performed his various public duties with signal ability. He was some time town clerk, 8 years selectman, a representative to the General Court 1773, 4, 8, 9, and 80, a delegate for forming a new const., in 1779, and continued in office as a judge of the Common Pleas and General Sessions from his appointment in 1764 to the revolution. EBENEZER, of the 5th gen., son of Edward, Esq., b. 1756, m. 1st Abigail, dr. of Daniel Carpenter, May 28, 1779, who d. July 1, 1781, æ. 22; 2d Rebecca, dr. of — Jenkins, Sept. 21, 1782, who d. June, 1791, æ. 28; and 3d Abigail, dr. of Daniel Crocker, May, 1792, who d. Jan. 18, 1859, æ. 89 years, 2 months, 12 days, having been 48 years a widow — and regarded as a woman of much intelligence and exalted worth. The issue by the 1st m. was Abigail, June 23, 1781, who d. infant; by the 2d m. Abigail Carpenter, Sept. 23, 1783, who d. Dec. 30, 1801; Rebecca Jenkins, Dec. 7, 1784, who m. Roland T. Crocker, Esq., and d. June 16, 1848; Lydia, March 16, 1786, who d. Jan. 19, 1802; Daniel Carpenter, May 23, 1787, who m. Desire Taylor, dr. of Ed-

£150 "towards the expense of building a meeting house at Provincetown, alias Cape Cod" — the money to be expended under the direction of Thomas Payne, Esq., Capt. Ebenezer Doane, and Mr. John Snow — the edifice "to be 32 ft. by 28 stud, and to have galleries on 3 sides," the inhabitants to sustain the balance of expense and keep the premises in repair.

This year also the singular project of building "a high fence of palisades or of boards, from Picket Cliff,"¹ the north-east boundary between Sandwich and Plymouth, "to Wayquauset Bay in Wareham, to keep wolves from coming into the county," was the theme of general discussion. The town of Sandwich took action on the subject, regarding the enterprise as not only feasible but highly important, but Falmouth alone acceded to the proposition. The other towns, with all which conferences were had, were backward in agreeing to furnish an equitable proportion of the means to meet the expense, and thus the project failed of accomplishment. Some beyond the county limits

ward Gorham, Esq., and d. Nov. 13, 1856; Temperance, Dec. 24, 1788, who d. single, Nov. 13, 1843; Rachel, Jan. 5, 1791, who m. David Crocker, Esq., and d. June 17, 1848; and by 3d m., Eliza, Feb. 7, 1793, who m. Elisha Scudder, Esq.; Ebenezer, Aug. 28, 1794, who m. Phebe Davis; Edward, April 10, 1796, who d. single, June 17, 1853; Mary Ann, Aug. 7, 1800, who m. Horace Scudder, and d. July, 1845; David Crocker, May 29, 1802; Francis, Dec. 21, 1804, who m. Eliza B. Dehon; Abigail Lydia, Oct. 26, 1806, who m. Barnabas Davis, and d. Aug. 13, 1840; Sarah, Oct. 11, 1808, who d. June 23, 1823; and Ellen, April 11, 1811, who m. Rev. E. H. Sears. The father of this numerous family filled a large space in public affairs; was one of the justices of the Court of Common Pleas, county treasurer, register of deeds, selectman of Barnstable, &c. He d. Nov. 28, 1811, æ. 55, deservedly honored, highly esteemed, and affectionately lamented.

¹ Perhaps intended for *Peaked* Cliff, which is the modern name.

were opposed to permission being granted by the General Court, as they did "not wish all the wolves to be shut out of the county upon their own limits."¹

In 1718, "in the month of April, a pirate-ship, the *Whidah*, of twenty-three guns and one hundred and thirty men, Samuel Bellamy commander, ventured upon the New England coast near Cape Cod, and, after having taken seven vessels, seven of the piratical crew were transferred to one of the prize ships. The men soon became drunken and slept. The master of the captured vessel ran her ashore on the back of the Cape and the seven pirates were secured. Soon after, the pirate-ship itself was forced ashore by the winds, near table-land, and the whole crew, except one Englishman and an Indian, were drowned. Six of the pirates, upon trial before a special court of admiralty, were pronounced guilty, and were executed in Boston, Nov. 15."²

¹ This fence would have been a little N. and W. of the projected canal intended to unite "Barnstable and Manomet Bays." The starting of such a project shows how troublesome wolves for a long time were. But probably at this date more correct views prevailed in regard to the anatomy of this destructive animal, than those expressed by *Woods* at an earlier period, in his account of New England: he says of the wolf, "One of them makes no more bones to run away with a pig, than a dog to run away with a marrow-bone. It is observed that they have no joints, from their head to their tail, which prevents them from leaping or sudden turning, as may appear by what I shall shew you. A certain man having shot a wolf, as he was feeding upon swine, breaking his leg only, he knew not how to devise his death. On a sudden, the wolf being a black one, he was loath to spoil his fur with a second shot, his skin being worth five or six pounds sterling, — wherefore he resolved to get him by the tail, and thrust him into a river that was hard by, which effected, the wolf, not being able to turn his jointless body to bite him, was taken."

² See annals of the towns.

A hearing was had, Nov. 1, on the petition of Peter, Thomas and Josiah Oakes, agents for that part of Eastham called Billingsgate, and it was ordered by the court "that it be a town called by the name of POOL."¹ The settlement of Rev. SAMUEL OSBORN in Eastham, and the transfer of his pastorate to the South Church exclusively soon after, is a matter of record.² The Rev. THOMAS PRINCE, of Sandwich, son of Samuel, Esq., was ordained, Oct. 1, as associate pastor of the Old South Church in Boston.³

¹ The bounds were to be "from the bound-line of Truro across the neck from sea to sea; extending S. to a valley called Bridge Valley, and so running, as the valley and brook runs, across the neck from the backside sea to the mouth of sd. brook, and from the mouth of sd. brook to the Point of Billingsgate Beach." It was ordered "that the salt marsh that will fall within the line of Billingsgate be not taxed to sd. place until improved by owners living within the line;" also "that the whaling and oyster fishing be in common as formerly," &c.

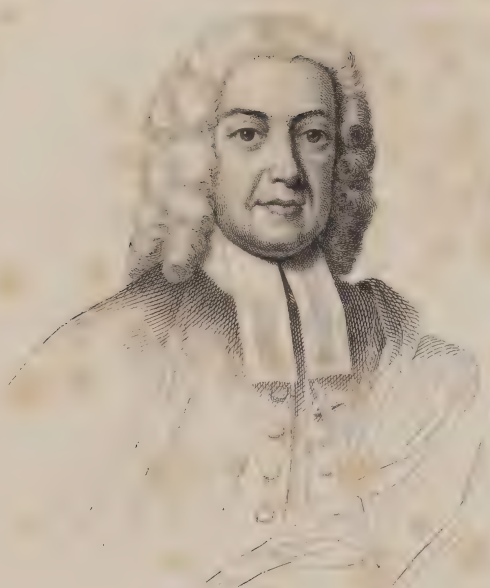
² Mr. OSBORN was a man of much learning, — somewhat versatile — by some censured for his tenets and practices; by others approved generally. His labors in several places, either as schoolmaster or minister, will be in succeeding pages subject of notice; as also his demise at a very advanced age. Several of his descendants were highly talented and left their mark upon the age in which they lived.

³ This eminent divine, whose portrait we are enabled, through the courtesy of Mr. Drake, to present to the reader, and whose lineage will appear in connection with a note touching his excellent father and distinguished brother, was truly an honor to his native town. Born in Sandwich, May 15, 1687; grad. H. C., 1707; he studied for the ministry. In 1709, March 29, he sailed for Barbadoes, and went thence to England. From England he went to Madeira, and again to Barbadoes, but returned to London, Oct. 17, 1710. During all this time he kept a journal, which is now in the possession of Rev. Chandler Robbins, D. D., of Boston. The vessel in which he sailed was accidentally burned at London, and he took up for a time his residence in Eng., preaching several years at Coombs, Suffolk — receiving also invitations to Battersford and other places. His mind, however constantly reverted to America; and, May 15, 1717, he sailed from London for

A country road was laid out, in 1719, from Harwich to Truro. On the petition of John Yeats and Nathaniel Gould, representing "that the easternmost end of Harwich, bordering on Eastham, is 7 miles from the meeting house in Harwich, obliging them to go to Eastham to meeting; and that now a place of worship is erected in the S. part of Eastham, but 2 m. distant; and desiring, therefore, to be set off from H. to E.," the prayer was granted.

A jealous guardianship of the rights of the people of the province, and that determined adherence to principle once adopted which distinguished the colonists and runs through their whole history, was still

Boston. With him came his friends the Dennys and Southgates, who were partial to his ministry. Arriving July 20, he was cordially welcomed and invited to the charge severally of churches at Hingham, Bristol and Boston. Accepting the invitation from the Old South Church to succeed the lamented Pemberton as colleague with the venerable Dr. Sewall, he was ord. Oct. 1, 1718. He m., Oct. 30, 1719, Deborah Denny, 10 yrs. his junior, and who was of the company accompanying him from England. She d. June 1, 1766, aged 67. They had Thomas, Feb. 27, 1721-2, who grad. at H. C. 1740, a young man of great promise, who d. Sept. 30, 1748, aged 26; Deborah, Dec. 23, 1723, who d. July 20, 1744; Mercy, Dec. 6, 1725, who d. May 18, 1752; Sarah, July 16, 1728, who m. Lt. Gov. Thomas Gill, April, 1759, and d. Aug. 5, 1771; and Grace, Feb. 16, 1742-3, who d. in infancy. Rev. Mr. Prince d. Oct. 22, 1758. Besides his other labors, he was author of that most invaluable work, "New England's Annals and Chronology." It has been truly said of him, "He was a man of fine genius improved by diligent study, and polished by an extensive acquaintance with mankind; an ornament to his profession and a rich blessing to the church." In the opinion of Dr. Chauncey, "No one in New England had more learning, except Cotton Mather." His collection of public and private papers, unpublished, relating to the civil and religious history of New England, and other valuable MSS., it is ever to be regretted, were destroyed by the vandalism of the British troops occupying the Old South meeting



Yours most respectfully
Obedient servant
T. Prince

manifested in regard to the requisition of Queen Anne in former years and still pressed by the parent government, that the system of donations and free gifts to the governor should cease, and that a salary as named by the throne should be permanently established. The people continued to resist it, and it was a subject of contention as often as it was broached, involving successive governors and the council and legislature in misunderstanding.

If we except the annoyances that were experienced in relation to the fisheries, and which, having continued a long time, were now becoming intolerable,¹ there is nothing to record in which the Cape is particularly

house where those papers were deposited in a private apartment. He published, in addition to that notable relic of his labors already mentioned, a sermon on the death of his father, 1728; another on the death of Mrs. Deborah Prince, 1744, and other similar productions. After his decease, a sermon that he had preached on occasion of the death of his son Thomas was published in Edinburgh, with others of his sermons, by his friend Rev. Dr. Erskine. Other sermons, numerous and valuable, remain. His books, which he called "the New Eng. Library," are retained by the corporation of the Old South Church—a portion being in the temporary keeping of the Mass. Hist. Soc. A catalogue of them was printed in 1847. In 1858, a "Prince Society for Publication" was founded in Boston and named in honor of him, which Society celebrated the centennial of his death by listening to a eulogy pronounced by W. H. Whitmore, Esq., to the courtesy of which gentleman the writer is indebted for data tending to the correction and fulness of the present note.

¹ The peace of Ryswick, more than twenty years before, was scarcely obtained, when the inhabitants of N. Eng. were made sensible of the designs of the French to make themselves sole proprietors of the fisheries to the eastward of the Kennebec. The French asserted an exclusive right to the fishery upon the sea-coasts and in all the inland waters. All English vessels found fishing on the coasts were, by order of the king of the French, to be seized.

interested, as occurring in 1720, unless it be the settlement of Rev. JOSEPH LORD in Chatham, and of Rev. BENJ. WEBB over the South Church in Eastham.

In 1721, the General Court which had passed an act to issue £50,000 in bills of credit, resolved on another issue — the desired effect of the former not having been realized; and to loan the amount in just proportions to the several towns, as a means of remedying the scarcity of money — thus increasing the amount in circulation to £100,000. The effect, instead of bringing permanent relief proved far otherwise.¹

The small-pox was at this period devastating and alarming.²

¹ The people seem not to have generally understood the necessary consequence of these emissions, viz.: the greater the quantity of the fictitious substitute for money, the less its value. For more than thirty years the evils of such legislation were every where felt; and they especially whose dependence was on a fixed income for support, (and among these were the clergy generally,) were reduced to a state of great deprivation and anxiety. Trade was indeed reduced to a state of barter. The rich, it is true, were becoming richer, but the poor were inevitably becoming poorer under the financial systems of the day, and the province seemed on the verge of bankruptcy and ruin.

² This disease had been brought into the harbor of Boston by the *Saltortugas'* fleet. Of 5889 persons who took the infection, 844 died. Inoculation was introduced, but such was the prejudice of the people against this resort, that even the lives of those who proposed it were insecure from the popular rage. Both Dr. Cotton Mather and Dr. Boylston were obnoxious to the resentment of the multitude. So much horrified by the remedy proposed were many, even ordinarily sober-minded people, that the opinion prevailed that if any of the inoculated should die the physician should be treated as a murderer. Dr. Boylston's family were hardly safe in his house, and he often met with affronts and insults in the streets. The faculty generally disapproved of his conduct, although to show his confidence of success he

In 1722, the people of Billingsgate having erected a meeting house, applied to be set off as the third parish in Eastham; but with a proviso that the ministers of each of the three precincts shall be supported by the town jointly. The prayer was successful, and the precinct was the next year "allowed." The inhabitants of a portion of Yarmouth also desired to be erected into a new precinct, the result of which was that the eastern part was set off making the western and eastern precincts. An application from Melatiah Bourne, Esq., of Sandwich, to be allowed to purchase lands of Nathan Wicket, Indian, viz., "an island of 15 acres in Monumet Bay," was granted, and John Otis, Esq., Col. William Bassett and Mr. Eldad Tupper were appointed to act for the Indians to insure justice. Rev. Roland Cotton, the minister of Sandwich, died March 29, and was succeeded by Rev. BENJAMIN FESSENDEN.¹

began with his own children and servants. Rev. Dr. Mather, the first proposer of the remedy, was reproached and vilified in pamphlets; and a grenado-shell was thrown in at his window, with a scurrilous menace fastened to the fuze. It was alleged that "the machination of men" was "preferred" by him "to the all-wise providence of God."

¹ Rev. ROLAND COTTON, ord. Nov. 28, 1694, g. s. of the learned and Rev. John of Boston, and s. of Rev. John of Plymouth, was b. Dec. 27, 1667, and grad. H. C. 1685. By his m., 1689, with Elizabeth, wid. of Rev. J. Denison of Ipswich, and sister of Gov. Saltonstall, he had John, July 15, 1690, who grad. H. C., 1710, was ord. minister at Newton, Nov. 3, 1714, and d. May 17, 1757, leaving published sermons preached on occasion of the death of Nath'l Cotton of Bristol, 1729, and at the ordination of his bro. Ward, 1734; Joanna, Aug. 16, 1691, who m. John Brown of Haverhill, Sept. 17, 1719, was the mother of 4 s. educated at H. C., 3 of whom were ministers, and was maternal ancestor of Peter C. Brooks of Boston; Elizabeth, 1693; Sarah, 1696; Nath'l, June 13, 1697, who d. at Bristol, 1729; Abigail, 1699; Maria, 1700; Roland, Nov. 13, 1701, who d. Mar. 18, 1725;

In 1723, Jan. 1, Gov. Shute, whose administration had become quite unpopular, embarked for England,¹ and, until his successor arrived, Lt. Gov. William Dummer presided. The 24th of February became memorable as the date of "a dreadful storm."² The Rev. Josiah Oakes this year became the minister of the Eastham parish subsequently known as Wellfleet.

The year 1724 was marked chiefly by the settlement of Rev. JOSIAH MARSHALL as minister of Falmouth, whose pastorate continued to 1730; and 1725 appears to have been barren of events of interest for the pen of the historian, if we except the settlement of Rev. JOSEPH GREEN over the east church in Barnstable. The year 1726 was chiefly memorable for its indications of ecclesiastical discontent. Rev. Mr. Greenleaf, the minister of the western precinct of Yarmouth, felt constrained to enter a complaint to the Court of General Sessions relating to his salary; but the appeal of the people to the General Court, through Mr. Samuel Sturgis, their agent, was sustained. The people of the Billingsgate precinct were also before the General Court, representing that their minister, Rev. Mr. Oakes, had, for some

Josiah, June, 1703; Ruth, 1710; and Ward, Sept. 8, 1711, ord. 1734. One of his drs. m. Rev. Silas Bourne of Scituate.

¹ He went to prefer complaints against the province. The matter of salary had continued, as before and after, the vexed question. Besides this, he charged that his power as governor was assumed by the General Court. In consequence of his complaints, an explanatory charter was procured the next year, which confirmed the prerogative for which he had contended. He d. in Eng., April 15, 1742.

² Elder Faunce of Plymouth said, "It raised the tide 3 or 4 ft. higher than had been known aforetime." An account of this storm was furnished to the Royal Society, London, by Cotton Mather. A similar storm occurred in 1770, and again in 1785.

cause, become very unpopular, and that they had, for that reason, invited another minister; but that Mr. Oakes, assisted by John Doane, Esq., and eight or ten others, had possession of the meeting house, thus making it necessary for the disaffected majority to worship in private houses—the precinct being involved by the existing state of things in great confusion and distraction. Their petition for relief was considered by the court, and it was “ordered that Mr. Oakes proceed no farther in the work of the ministry in sd. parish; but that he shall be paid for the past at the rate of £80 per annum.”

From the time of the erection of the “Province Lands,” at the extremity of the Cape, into a precinct, thirteen years since, the number of inhabitants in that part of the county has become much increased; and now, June 14, 1727, the precinct of Cape Cod was incorporated as a township by the name of PROVINCE-TOWN.¹ Its location being peculiar, and its relative

¹ The act of incorporation was on this wise: “*Be it enacted, &c., that all the lands on said Cape (being Province Lands) be, and hereby are, constituted a Township, by the name of Provincetown, and that the inhabitants thereof be vested with the powers, privileges and immunities that the inhabitants of any of the towns within the Province by law are, or ought to be vested with, saving always the right of this Province to said lands, which is to be in no wise prejudiced. And provided that no person or persons be hindered or obstructed in building such wharves, stages, work-houses and flakes, and other things as shall be necessary for the salting, keeping and packing their fish, or in cutting down and taking such trees and other materials, growing on the said Province Lands, as shall be needful for that purpose, (without making any wilful waste, or spoil, or barking, or boxing any pine trees standing or growing on the said land,) or in any sort of fishing, whaling, or getting of bait, at the said Cape, but that the same be held in common as heretofore, with all the privileges and advantages thereunto in any wise belonging.*”

position hitherto in many respects anomalous, the inhabitants, though allowed the right of representation, were to be exempt from taxation except for municipal purposes, and from military duty. The provincial government also continued to provide for the support of the clergyman of the place.

The General Court proposing another issue of bills of credit, £60,000, the former bills of the £50,000 loan having greatly depreciated, there was again much difference of opinion throughout the province in regard to the policy of the measure. In this diversity of sentiment the inhabitants of the Cape partook, and were much involved in the political contentions growing out of it.

The representatives of the several towns set forth in petition to the General Court, "the great inconvenience and expense incurred by the people of the Cape, especially by those more remote, in being obliged to attend the Superior Court of Judicature and Court of Assize in the County of Plymouth; and asked that such order might be had that the courts might sit once a year in the County of Barnstable. The application was successful. — The Indian proprietors of Oyster Island at the same time asked and obtained leave to sell their land; and a committee was appointed to assist them in negotiating a sale of the same.

On the 29th of Oct. was another shock of earthquake.¹ The Rev. Daniel Greenleaf this year ceased to

¹ It occurred at 10 o'clock 4 m., at night, and was much more violent than that occurring just a century previous. Throughout New England it caused great alarm. Its noise was compared to that of ten thousand carriages driven over pavements. Walls of cellars were prostrated; chimneys were thrown down; and seamen upon the coast supposed their vessels had struck on some shoal. In New York it was

be the minister of Yarmouth ; the East church in that town was gathered, and the Rev. Josiah Dennis became the pastor.

The fresh issue of the loan, £60,000, intended "to relieve the decline of trade," led, in 1728, to speculations, especially in Eastern lands, which became now for the first time almost a mania:—we say, for the *first* time ; not the last, as the memory of many now living will sadly attest.

Gov. WILLIAM BURNET, appointed on the accession of GEORGE II., arrived in Boston July 13. Owing to certain instructions he had received from his sovereign, a subject by no means new was soon broached that proved not very flattering to his hopes of a quiet and prosperous administration.¹ The governor failed to make

as sensibly felt as in Massachusetts. It happily proved "reformatory of some loose-livers in America, who became apparently devout penitents," according to the testimony of some prominent divines of the day.

¹ The administration of Lieut. Gov. Dummer had hitherto given very general satisfaction ; but the new governor had no sooner communicated the king's instructions to require a fixed salary, than the demand was declined. The people were ready to vote a competent sum from year to year, but were inflexibly resolved not to establish a salary that would make any governor independent of their wishes. The orders of the crown were peremptory that the governors should "receive no more gifts" in any shape, and that the salary should be "permanent,"—believing that the practice of voting salaries from time to time was preferred by the people of the province only to attach the governor to their cause. Great misunderstandings, therefore, immediately sprang up between the governor and the court. The inhabitants of Boston taking sides with the opposition, the governor determined to convene the representatives at some place where they might be relieved from the pressure of Boston influence. The court was accordingly removed to Salem, April, 1729, and, still proving refractory, was again adjourned to meet in Cambridge in August. It was a defect in the charter of William and Mary that the

the impression he desired, and felt severely the difficulties of his position. He sickened and died before the expiration of the year,¹ and the lieutenant governor was again in power.²

SAMUEL PRINCE, Esq., who had been a prominent and influential citizen of the town of Sandwich, died July 3 in Middleboro', whither he had gone to enjoy, as the solace of age, the kind attentions of his daughter, in the family of Rev. Mr. Thacher.³ The Rev. Thomas

governors of the provinces were to be appointed by the king instead of being chosen by the people; and it was on this ground that the legislature refused to settle on the governors fixed salaries.

¹ Gov. BURNET was evidently a man of superior talent, gentlemanly, the delight of all intellectual circles, and, aside from his official relations, universally esteemed. He was b. 1668, son of Bishop Burnet the historian, and d. Sept. 17, the present year.

² The lieutenant governor had the credit of being governed by a due regard for the public good. As he will not be further conspicuous upon our pages, we may remark that he enjoyed the reputation of being a liberal, pious, benevolent man. Lieut. Gov. Dummer d. Oct. 10, 1761.

³ Mr. SAMUEL PRINCE was son of the Elder, John of Hull, who came over in 1633, b. at E. Shefford 1610, eldest son of Rev. John, rector of E. Shefford, Berkshire, who m. Elizabeth, dr. of Rev. Dr. Tolderbury. The *father* of Mr. Samuel Prince was in Watertown, New England, about 1633; then at Hingham, and settled at Nantasket 1638. In 1644 he was first ruling-elder at Hull, and d. there Aug. 16, 1676, æ. 66. His 1st m. was with Alice Honour of Watertown, and the 2d with Anne ——. By the last m. was no issue. By the former were John 1638; Elizabeth 1640; Joseph 1642; Martha 1645; Job 1647; and Samuel, b. at Boston May, 1649, d. 1728. This last, whose name stands at the head of this note, was admitted a townsman in Sandwich in 1682. He m. 1st Martha, dr. of Wm. Barstow, Dec. 9, 1674, who d. Dec. 18, 1684; and 2d Mercy, dr. of Gov. Hinckley. By the former m. the issue was Samuel Sept. 20, 1675; Martha Mar. 15, 1677-8, who m. Ezra Bourne, Esq., of Sandwich, Dec. 27, 1698; John Oct. 1, 1680, who d. young; Anne Feb. 1682-3, who d. inf.; and Nathan Sept. 17,

Smith became, in 1729, the minister of the first church in Yarmouth.

Lieut. Gov. WM. TAILER was at the head of the province in 1630, until JONATHAN BELCHER, appointed to succeed

1684, who d. 1685. By the 2d m. were Thomas May 15, 1687, who became the distinguished pastor of the Old South Church in Boston; Mary Jan. 8, 1688, who m. Rev. Peter Thacher of Middleboro', Jan. 24, 1710-11, and d. Oct. 1, 1771; Enoch Sept. 19, 1690, who d. Aug. 31, 1713; John Nov. 20, 1692, who m. Eliz. Wooden Nov. 30, 1713, and was lost at sea Feb. 1716-17; Joseph Ap. 1, 1695, who m. Hannah Beach July 4, 1732, and d. at Stratford, Ct., Dec. 4, 1747; Moses Feb. 22, 1696-7, who m. Jane Bethune Feb. 1, 1737-8, and d. in Antigua July 6, 1745, his wid. surviving him in Newburyport until Mar. 9, 1795; Nathan Nov. 30, 1698; Mercy Dec. 21, 1700, who d. at Middleboro' Aug. 9, 1748; Alice Aug. 13, 1703, who m. Samuel Gray of Harwich, Sept. 13, 1731, and d. at Little Compton, July 2, 1733; and Benja. Feb. 23, 1705-6, who d. early. Of this numerous family, Samuel, the eldest, had farms in Milford and Coventry, Ct., and d. in Roch., Mass., 1722, before his father's demise; John, the 6th son, had a dr., Eliz., who m. Seth Ames of Bridgwr., 1734; Moses, a mariner, left issue Saml. and others; Thomas is particularly mentioned, p. 357; and NATHAN, the 9th son, a grad. H. C. 1718, an eminent and accomplished scholar, also deserves more than a passing notice:—

A Tutor in H. C., after graduating, 14 years; and a Fellow, 5 yrs.; for causes, evidently, that redound to his credit at the present day, he was removed in 1742. Declining to assist in, or sanction, certain practices indicated, and his removal being consequent, it led to an able "Review of the constitution and govt. of Harvard College from its foundation in 1636 to the year 1742." In this document, which he caused to be published in self-defence, he contended that the General Court alone have power to dismiss members of the corporation, and are the only legitimate visitors; complained of the management of the treasury; and reprobated the injustice which he believed resulted from the practice of arranging students in classes and their names in the catalogue according to the supposed dignity of their family or connections.—It will be observed that the alphabetical arrangement of names did not prevail till 1773. We have referred to *evident* causes of the *removal*; and we think we are sustained

Gov. Burnet, arrived in August; and, the controversy in regard to the salary being again renewed, fortunately a present compromise was effected.

Additional legislation was had in regard to Province-

in this, not only by the nature of his defence and by the position which he subsequently occupied, but also by the fact that his eminent brother, Rev. Thomas Prince, took part with him against the proceedings—a course to which even fraternal affection would not otherwise have impelled him. This distinguished man, Rev. NATHAN PRINCE, was, in the view of competent judges and contemporary witnesses, even “a greater mathematician and philosopher, and a better classical scholar and logician, than his brother; and is ranked among the great men of the country.” Although brought up in “deep-rooted aversion to the Episcopal Church,” his large mind was finally led to other conclusions; and, taking orders in “the church,” he became finally a faithful and devoted missionary and rector at Ruatan, W. Indies, where, highly honored, he d., July 25, 1748. For knowledge of the position he thus occupied, and the estimation in which he was held, we must have reference to the “Proceedings of the Society in England for Propagating the Gospel in Foreign Parts.” A sermon is before us, preached before that venerable society, in London, 1747, “by the Rt. Rev. Father in God, Samuel, lord Bp. of St. Asaph,” and also an “Abstract of Proceedings,” 1746–7, in which mention is made of “Mr. Prince, missy. to the Moskito Indians, Bahama Islands,” also of “Mr. Bewsher, catechist to the Negroes on the Plantations in Barbadoes.” The Abstract says, “At length they have found, as they charitably hope, in the Rev. Mr. NATHAN PRINCE, (a native of New England, bred to learning, and for several years Fellow of H. C. in that country, who, after having joined himself to the Ep. Church in New Eng., and done service in it as a schoolmaster, came recommended to the society by their missionaries in New Eng.,) a proper person to be employed in the instruction of the Moskito Indians who inhabit that part of the continent of N. America which lies nearest to the Island of Jamaica, and is from them called the Moskito Shore. These Indians are the descendants of those who fled before the Spaniards in the bloody conquests in those parts, and they have put themselves under the protection of the king of Gt. Britain, and call themselves his subjects, and show an earnest desire to be united to us both in govt. and religion: Wherefore, the soey., after Mr. Prince’s

town.¹ The town had continued to advance in wealth and population; and such was the value of its harbor to the commercial world, that the provincial authorities were duly mindful of its importance. The Rev.

having been ordained Deacon and Priest by the lord Bp. of London, have appointed him their missy., and directed him to settle at Black River, the chief place of resort on the Moskito Shore; and, under God's providence, Mr. Prince is now on his voyage thither." Again, "Rev. Mr. Boschi, the socy's missy. to St. Bartholomew's Parish, in his letter from thence, Aug. 22, 1747, acquaints the socy. that he being appointed a chaplain to the garrison lately established in the Island Ruatan in the neighborhood of the Moskito Shore, was preparing to remove thither; and they have directed Mr. Prince, their missy., to hold a corresponde. with Mr. Boschi, for their mutual comfort and assiste. in the evangelical work, (the socy. having accepted Mr. Boschi's offer to instruct the neighg. Indians.) May God give a blessing to it, till in due time we shall all become one fold under one shepherd, Jesus Christ our Lord." That Mr. Prince fell a sacrifice to his zeal in his Master's work in an unpropitious clime, is clearly evident; and leaves a presumption that, like his revered brother Thomas, he was not simply a learned man, but a man of God. — Besides the work before mentioned, which shows him to have been in advance of the age, he published in 1734, "An Essay to solve the difficulties attending the accounts of the Resurrection," a work that "discovers great profundity of learning and masterly argument."

¹ "An Act to prevent damage being done to the harbor of Cape Cod, by cattle and horsekind feeding on Provincetown land.

"Whereas many persons, not inhabitants in Provincetown, frequently drive down great numbers of neat cattle and horsekind to feed thereon, whereby the beaches there are much broken and dammified, which occasions the sands blowing into Cape Cod Harbor, to the great damage thereof, —

"Be it therefore enacted by his excellency the governor, council, and representatives in General Court assembled, and by the authority of the same, that from and after the publication of this act, no person or persons not being inhabitants of Provincetown, shall presume to turn or drive any neat cattle or horsekind to or upon the lands of Provincetown, so called, to feed thereon, upon the penalty of forty shillings a head, for all neat cattle, and for every horse or mare that

Samuel Palmer was this year settled in the ministry at Falmouth; and the Rev. Isaiah Lewis in the second parish of Eastham.

The only local historical incident that we find to

shall be turned or found feeding on Provincetown land; which penalty shall be recovered by the selectmen or constable of the said town, or any other person who shall inform and sue for the same; the one half of the said forfeiture to be to him or them who shall inform and sue for the same, and the other half to be to and for the use of the poor of the said town.

“And be it further enacted by the authority aforesaid, that if any neat cattle or horsekind shall at any time hereafter be found feeding on the land or beach of the said township of Provincetown, other than such as are owned by the inhabitants of the said town, that it shall and may be lawful for any person to impound the same, and to give public notice thereof, in the said town, and the two next adjoining towns, and the impounder shall relieve said creatures, while impounded, with suitable meat and water; and if the owner thereof appear, he shall pay ten shillings damage to the impounder for each head of neat cattle or horsekind so impounded, and costs of impounding and providing for the same; and if no owner appear within the space of six days to redeem the said cattle or horsekind so impounded, and to pay the damage and costs occasioned by impounding the same, then and in every such case the person or persons impounding such cattle or horsekind, shall cause the same to be sold at public vendue, for payment to the town of the damage sustained by reason of such cattle or horsekind feeding upon the land of the said township; as also to pay the costs and charges arising about the same to the impounder, (public notice of the time and place of such sale to be given in the said town of Provincetown, and in the town of Truro, forty-eight hours beforehand,) the overplus, if any there be, arising by such sale, to be returned to the owner of such cattle or horsekind, at any time within twelve months next after, upon his demanding the same; but if no owner appears within the said twelve months, then the said overplus shall be one half to the party impounding, and the other half to the use of the poor of the said town of Provincetown.

“This act to continue and to be in force for the space of five years from the publication thereof, and from thence to the end of the next session of the General Court, and no longer.”

mention of 1731, is that of a record of ecclesiastical discontent in Sandwich. A petition of Jireh Swift and others, representing "that great dissatisfaction was conceived at the conduct of the minister, Mr. Fessenden; that the aggrieved had called in council seventeen churches to advise, which said council had laid Mr. Fessenden under censure, and advised his removal, but that he and the church refused to submit; and that the petitioners not being able with a good conscience to sit under his ministry, pray for a division of the parish, the petitioners to be allowed the right of one half of the parsonage." Their grievances seem not to have been viewed by the court in the same light as by themselves, and their petition was "dismissed."

The record is sufficient for the year 1732, that DIVINE PROVIDENCE, watching ever over the destinies of the country, and seeing the end from the beginning, benignly ordered the birth in Westmoreland County, Virginia, February 22, of him who was in after years to be called the **BENEFACTOR**, the **FATHER OF HIS COUNTRY**.

In 1733, the complaint of "the scarcity of money" had become general, ay, universal. It was, of course, an artificial scarcity, arising from the depreciation of paper which from being too abundant had become, in value, of little worth. Every new emission was thus doomed to depression, embarrassing trade and doing great injustice to the honest and industrious portions of the community who were creditors.¹ The inevitable

¹ The flooding of the country with the £100,000 of Rhode Island bills of credit, and the issuing of £110,000 by an organized company of merchants in Boston, served to increase the already existing evils. A fluctuating and deceitful medium, notwithstanding all past experience,

operation seemed to be inadequately understood. The annals of the towns will show the effect of these fluctuations in the currency, upon the interests of the Cape.

An effort was made in 1734 in behalf of the towns on the lower part of the Cape, to have the said towns set off from the county of Barnstable as another and distinct organization. Failing in this attempt to be erected into a separate county, those towns renewed their application to the General Court for an act lessening the number of courts held at Barnstable. Sylvanus Snow and others of Eastham petitioned "to be released from paying rates at Billingsgate."

In 1736, May 26, Judge Peter Thacher of Yarmouth died.¹ The detail of doings and events for several years embrace only matters of minor importance. Pecuniary controversies growing out of the wise instructions the governor had received from the crown not to consent to the issue of bills of credit to remain current beyond a short period, and a disposition on the part of many to expand paper issues, occupied a large portion of the public mind. With the exception of the

it will appear was still destined to tax all classes of people — insensibly but unequally — drawing, by a kind of magic stealth real property from its possessors, and substituting fictitious and imaginary wealth in its place — disaffecting the people, alienating neighbors, and threatening to overwhelm posterity with its curse, until the cause which contributed to its increase proved the means of its abolition.

¹ Judge THACHER was a man of note, and son of Col. John by his 1st mar. Early a representative; justice of the peace 1713; justice of the Common Pleas 1720, and chief justice 1728; overseer of the Indians 1729; some time of the Council. He was a humble Christian, and d. æ. 71.

comparatively unimportant items of the establishment of a ferry between Falmouth and Martha's Vineyard¹ in 1736; the petition of John Knowles and others, agents of the towns of Eastham, Harwich, Truro, Chatham and Provincetown, in 1737, "for a law requiring the courts to be held a part of the time in Eastham;" the "choice of jurymen" in 1738 "for Barnstable and Dukes Counties" — Martha's Vineyard having been associated with this county; and the evidence furnished of the increasing attention to domestic manufactures² and the extension of facilities therefor;³ absolutely

¹ Joseph Parker and others were the grantees; "the grant that had previously been made to Barker was annulled."

² The climate and pasturage were both favorable to the rearing of sheep; the one contributing a peculiar richness to the meat, the other to the fleece. The woollens used in families were now manufactured chiefly under the domestic roof. Flax also succeeded well.

³ An important move in this direction was the granting of extended mill privileges to Mr. Benjamin Marston of Barnstable, which privileges were efficiently improved through a long course of years and especially devoted to the dressing of the faithfully-made and enduring fabrics so abundantly supplied from the spinning wheels and looms then as indispensable accompaniments in the dwellings of all well-ordered families as are piano-fortes, &c., at the present day in families where the music of the spindle and the shuttle are never heard. From this date, 1738, the cognomen "MARSTON'S MILLS" became the designation of the locality, and so continues to the present time.

MR. BENJAMIN MARSTON it is understood came from Salem, and was the first of the name in Barnstable. He was an energetic, prominent and influential citizen. By his marriage with Elizabeth Goodspeed April 26, 1716, he had John Feb. 25, 1716-17; Patience Jan. 1, 1720, who m. Edward Bacon, Esq. 1740; Benjamin Jan. 2, 1725; Nymphas Feb. 12, 1727-8; Lydia March 1731, who m. James Allen 1715 (from whom were James 1752, Benjamin 1754, Marston 1759, Thomas 1760, Nymphas 1764, and John 1767 who graduated at Harvard College 1785, S. T. D. 1813, and was the minister at Duxbury;) Prince March 24, 1735-6; and John Dec. 3, 1730, who d. Feb. 22, 1817. Of this issue, NYMPHAS MARSTON, Esq., the 3d son, was

nothing appears upon the public records worthy of mention until the year 1739 when the war with Spain began to exert an influence on the destinies of New England. Men were enlisted on the Cape as elsewhere for the expedition to Cuba ; many of these, including some of the most active young men of the province, soon fell victims to an uncongenial climate, and the war proved impoverishing to the country, greatly increasing its former financial embarrassments. The only items of merely *local* interest this year, are the settlement of the Rev. Joseph Crocker as the minister of the third parish in Eastham ; and the grant of one hundred and fifty acres of land to Matthias Ellis of Sandwich “ in

especially distinguished ; was very prominent in public affairs, and filled a large space in society. A graduate of Yale 1749, he was from 1760 for a long course of years an active magistrate. He also represented the town in General Court as early as 1765, and was with Shearjashub Bourne elected Nov. 19, 1787, a member of the convention “ to take into consideration and act upon the constitution or frame of government for the United States of America.” At the time of the suspension of the courts prior to the revolution, he sat with the Court of Common Pleas and General Sessions ; but his patriotism was, like that of Col. Otis, Daniel Davis, and others of high position, approved, as his prompt acquiescence in the measures of the liberty party and the high appreciation of his public services in subsequent time, testifies. Indeed, his zeal in the cause of his country was manifest by many unostentatious acts. Not only a large landholder, but a man of ready means, large advances were made by him to pay the expenses of the war, as receipts among his papers show. On one occasion, the soldiers called out from below for the defence of Falmouth, on their return to their homes intending due honor to the generous friend whose doors were always open and his table bounteously spread for the enjoyment of patriotic guests, gave vent to their enthusiasm by firing a salute in his house. The plastering in the dining room was of course somewhat shattered by the explosion, and the marks of it have been suffered to remain to the present time — a relic of the past. The patriotic host concluded that the damage done was “ quite



L. Groszeller's Lith. Boston.

Nymphas Mayston

Born 1726; D. 1788.

consideration of the great services rendered by him in the expedition to Port Royal — especially in guarding the artillery at the great hazard of his life.”

In 1740, the harbor at Provincetown again received the attention of the General Court, complaint being made that “many persons, not inhabitants of the town, were in the habit of driving down great numbers of neat cattle and horses to feed upon the lands, whereby the beaches were much broken and damnified, occasioning the moving of the sands into the harbor to the great damage thereof.” A grant of £50 was also made to Provincetown for the ministry. The Rev. Samuel

pardonable” if his guests would “carry out their zeal in shattering and scattering the ranks of the common enemy.” Mr. Marston married an Allyn, but had no children who survived to adult age; and left his house and homestead to his nephew, Dea. Winslow Marston, from whom it descended to the present owners and the occupant Judge Nymphas. Of this honored citizen, Nymphas, Esq., b. 1727–8, d. Feb. 11, 1788, on the anniversary of his birth, æ. 60, we are enabled, through the courtesy of members of the family, whose position proves them not unworthy of their descent, to present an excellently engraved likeness. The lithograph is taken from a painting executed by Copley. From Prince, the 4th son of Benjamin 1st, who m. a Winslow, and who succeeded his father in the management of the mills, was Isaiah who went to Waterville; Nymphas who removed to Plymouth; and Winslow, John, Benjamin, and Prince, all of whom resided on or near the old homestead, and Lydia who m. Ansel Goodspeed and went to Vermont. From Winslow, the son of Prince 1st, was the Hon. Nymphas who graduated at Harvard College 1807, some time of the Massachusetts Senate, judge of probate, &c., — an eminent counsellor, happily surviving, and at present the father of the bar in Barnstable County; Mary who m. Luther Hinckley, Esq.; Hon. Charles, some time of the Senate, executive Council, and high sheriff, and now commissioner for the Indian plantation of Mashpee; Prenziss who d. before majority; and Phebe who d. young. From Hon. Charles is Hon. George, late judge of probate, and counsellor at law.

Spear who had for some length of time officiated as the minister, ceased from his charge about this time. In the annals of Provincetown it will be seen that Mr. Solomon Lumbert officiated there at different periods.

The opposition of Gov. Belcher to the general currency-policy of the province, and especially to the scheme of a "*Land Bank*," having called forth an extensive hostility to his administration, was, doubtless, the cause of his removal,¹ and the appointment of WILLIAM SHIRLEY, who was destined as his successor to act a conspicuous part for a long time in American affairs.

The land-bank project prevailed; for banks had become from supposed necessity favorite objects with the majority. The professed aim now being to supplant a paper currency by silver coin, and the very remedy suggested supposing the want of the precious metals, LAND was regarded as the most permanent substitute on which credit could be effected. The design seemed plausible, and in the view of many the land bank was the very *ne plus ultra* for removing the great inconveniences that otherwise must necessarily follow the withdrawing from circulation all the various emissions of paper money without providing any other medium than that of gold and silver;² but the result was only

¹ Gov. Belcher had been a princely merchant, and retired from commercial transactions on his being appointed governor. He was a man of integrity, of piety, of graceful and dignified demeanor, given to hospitality, and stood high in the estimation of all who were not his political enemies. He was b. 1681; graduated at Harvard College 1699; and d. governor of New Jersey 1757.

² The Company was authorized to issue notes, or bills of credit, on land security, to an amount not exceeding £150,000. The subscribers of stock were to receive the sums by them severally subscribed, in bank notes,—and, as security, were to mortgage to the directors real estate to entire satisfaction, with the condition to pay annually, for

troubles multiplied to the many, the utter prostration of many families, and the pecuniary ruin of numerous individuals¹ on the Cape.²

In 1742, the provincial court ordered that boxes be

twenty years, five per cent. of the principal loaned, and three per cent. interest either in the notes, or hemp, flax, cordage, bar iron, linen, wool, copper, leather, flax seed, beeswax, sail cloth, nails, tallow, cord wood, &c., which articles were to be delivered to the directors or their agents, to be employed in trade. The company consisted of 800 persons, about 400 of whom belonged in Boston, the others being scattered in different towns over the province.

¹ The scheme was, from its first inception, regarded as very obnoxious by many influential citizens who made the utmost exertion to suppress it. The matter was, however, utterly uncontrollable by any means within the province; for, besides the numerous subscribers, great numbers of those whose pecuniary circumstances were embarrassed favored the project of a land bank — and every vote told alike, the vote of the most opulent and the vote of the most needy, in a popular election; and the great majority of the representatives chosen, and engaged in chartering the bank, were either subscribers to or expectants of personal benefits from the scheme: so notorious was this that the General Court for that year was long honored with the sobriquet, “the Land-bank House.” The authority of Parliament was finally invoked; and, in 1743, by special act, the Land Bank Company was fortunately dissolved, — not, however, until the extent of the issue had reached £49,000, in sums alone of 20s. down to 3d.; and although the General Court took the settlement of the bank’s affairs from the directors and vested it in a board of commissioners, the winding up of the business required about thirty years, and was finally effected by means of an assessment on the several partners, and by a lottery. Had not Parliament interposed declaring the law which prohibited similar institutions in England, applicable to the British plantations, the province would have been entirely under the control of the Company.

² We might add here, were it not too ridiculous, the memorable event of “Wampum’s War.” The alarm and disasters of this “war” occurring at this period, seem to have been chiefly confined to a town bordering on the County of Barnstable. *Joe Wampum*, a native of

provided in each town for the drawing of jurors. The "great awakening," a religious movement that in its progress affected more or less the whole length and breadth of the land, also began about this time.

In 1743, Solomon Briant of Mashpee, Indian, asked leave to sell lands; and Silvanus Bourne, Esq. was appointed to supervise the sale and render said Briant all needed assistance. A memorial from William Rotch and others of Provincetown showed "that by reason of the removal of the greater part of the inhabitants the town was in great measure broken up, so that not one of the selectmen chosen remained." Legislation was asked, to give relief.

the old Comassekumkanet, or Herring Pond, tribe, arrived at the former seat of government of "the Old Colony," March 30, during the time of divine service, — direct from Buzzard's Bay; and gave the astounding information that the Spaniards had effected a landing in considerable numbers near the "Head of the Bay." As war existed between England and Spain, the intelligence seemed plausible, and the panic was great. Drums beat to arms, and the militia were ordered out. It proved, we hardly need say, to be an "Indian story:" but Wampum gained by it *this* immortality.

CHAPTER XVIII.

The French War. — Rev. George Whitefield. — Cape Breton. — Peace. — England and France again at Variance. — Union of the Colonies. — Expeditions to Nova Scotia, Crown Point, and Niagara. — Gov. Pownal succeeds Shirley. — Sir Francis Bernard comes into Power. — The Cape Towns desire fewer Courts. — Wellfleet is incorporated, also Mashpee, as Districts. — England becomes arrogant.

ANOTHER war between Great Britain and France was begun in 1744; and the Indians, through French influence, again assaulted some of the New England towns, being offered a reward for scalps. This war proved to be a great calamity, for it extended through a period of nineteen years. Some inhabitants of the Cape suffered by being taken prisoners; and the towns were often called upon for men and money.

The Rev. GEORGE WHITEFIELD'S movements were about this time the subject of much animadversion. An English Episcopal clergyman, now only about twenty-five years of age, whose powers of oratory were very great, his ministry in his itinerating course through the country was sought by many, but by some opposed. In the estimation of his opponents, his preaching was "wildfire;" in the view of his admirers, it was "apostolical."¹ The ministers in

¹ Before taking orders in the Church of England, in 1736, his benevolent zeal had led him constantly on visits of mercy to the poor, to soothe the sufferings of the distressed, and to administer religious instruction to the imprisoned. His earliest efforts in the ministry had been attended with surprising effects. Embarking for America, in

this county were generally averse to his encouragement.¹

In 1745, Lieut. Gov. Spencer Phips was for a time at the head of affairs. Many persons from the Cape

1738, his labors were incessant; and wherever he travelled, through the middle and southern colonies, he dispensed the word of life to thronging multitudes. Returning to Europe in 1739, he received priests' orders from the Bishop of Oxford, and then again returned and resumed his itinerant labors in America. [It may not be understood by every reader that, in the Protestant Episcopal Church, whether in England or in this country, or elsewhere, every candidate for holy orders is at first admitted to the diaconate only — that having served for a stipulated time in this degree, he may in due time be advanced, if approved, to the full orders of the priesthood. In both offices they preach and baptize; but only when admitted to the priesthood may administer all the offices that appertain to that degree.] From Savannah to the remotest New England his voice was heard, and the power of his eloquence was acknowledged. The Orphan House in Savannah, and numerous converts every where he went, attested his zeal, energy, and the power of the Holy Ghost attending his ministrations. His popularity and influence continued to the time of his decease in Newburyport, Sept. 30, 1770, at the age of 55. Indeed, few men since the apostolic times, had labored more indefatigably in preaching the gospel of salvation, or had been more instrumental in imparting the Christian hope to multitudes. His power over the feelings of his auditory was universally acknowledged to be wonderful; and when places of public worship were not opened to him, thousands were addressed by him in the streets, or fields, or groves. In a word, liberal and catholic in his spirit, his whole life was spent in most disinterested and benevolent exertion. Cowper has truly said of him, —

“He loved the world that hated him. The tear
That dropped upon his Bible was sincere.
Assailed by scandal and the tongue of strife,
His only answer was a blameless life;
And he that forged and he that threw the dart
Had each a brother's interest in his heart.
Like Paul, he labored; and like him, content
To bear it, suffered shame where'er he went.”

¹ Mr. Whitefield having been invited to Boston by distinguished pastors of that town, on one occasion preached, it has been said, to an

towns were now in the service of the colonies against Cape Breton and at the taking of Louisburg, then called "the Gibraltar of America."¹ Some greatly distinguished themselves.²

audience of 20,000 persons. This was probably on the Common. Hailed, wherever he went, as a champion of the cross, the places for public worship often became so crowded as not to accommodate all who thronged to hear him. The opposition to his itineracy first arose in Connecticut, where severe laws were enacted restraining itinerants. But the feeling soon diffused itself in other directions. A large number of ministers on the Cape united in a protest against his itinerating influence the result of which it was no doubt honestly thought had been strife in churches tending to divisions. It has been suggested, however, not without good reason, that had not some of his converts attempted in the ardor of their zeal to follow his example by injudicious measures, the evils imputed to him had never existed.

¹ The reduction of Louisburg was considered an object of the utmost importance in a commercial respect. It had been fortified by the French at a vast expense. The news of the brilliant achievement of its capture caused great exultation in the colonies, and encouraged the attempt to conquer all the French possessions in North America. It also aroused the ire of France for revenge, and determined the French government to attempt the conquest of the whole of New England.

² In Niles's *Wonder-working Providence, 1745*, appear the names of leading officers of the army who were at the reduction of this fortress. Some of those attached to Col. Gorham's regiment are, with himself, thus mentioned : —

" Whilst we in honor these commanders have,
Let's turn our thoughts to Col'nel GORHAM's grave,
Who with his ancestors distinguished are
As men of courage, mighty in the war ;
He lies interr'd in that new-conquered soil —
The fruit of his and others' warlike toil.
Lieutenant Col'nel GORHAM, nigh of kin
To his deceased Head, did honor win ;
Unite in nature, name, and trust, they stood —
Unitedly have done their country good.
May Major THACHER live, in rising fame
Worthy of ancestors that bear his name,
And copy after virtuous relations
Who so well filled their civil, sacred, military stations.

An additional act was passed this year for the protection of Cape Cod harbor;¹ also for the protection of East Harbor in Truro. The petition of John Hallet, in behalf of the town of Yarmouth, showed that "by reason of the interruption and failure of their whale-fisheries, the inhabitants were much impoverished;" for which cause they asked to be excused from sending a representative to the General Court. James Ned, Indian, of Sandwich, asked permission to sell land, and Mr. Tupper was appointed to assist him in making the sale.

The year 1746 was the time when the French arma-

Now Capt. CAREY, seized with sickness sore,
Resigned to death when touched his native shore;
And Capt. DEMMICK slain by heathen's hand
As was his father under like command."

The captains of this regiment mentioned in a note appended, are Jonathan Carey, Edward Dimmick, Elisha Doane, Silvanus Cobb, Israel Bailey, Gershom Bradford and Samuel Lombard. Among those mentioned as attached to Maj. Gen. Wolcott's regiment of the Ct. forces, we recognize the names of Capt. Daniel Chapman, and also of Lt. Lothrop, a descendant from the Rev. John Lothrop of Barnstable:—

"LOTTHROP likewise, in his lieutenancy,
Gives pledges of his skill and loyalty."

And further,—

"Some reverend pastors' minds deeply impressed
With glowing warmth to see our foes suppressed,
To act their part, are willing forth to go
With Christian courage and heroic too."

And among these are mentioned *Crocker* and *Hawley*.

¹ One of the provisions of this act was, that the inhabitants of Provincetown were "allowed to keep and suffer to feed on the lands, one bull and 3 yoke of oxen for the inhabitants in general, and one horse and one cow for each family in particular; also such person as shall have license to keep a house of entertainment was to have liberty to keep two cows." The act forbade "the cutting down of trees growing within 160 poles from high-water mark." This act was revived and continued by successive legislation to 1775.

ment, under the Duke d'Anville, was despatched for America — the most formidable that was ever sent; and as the object was not only to aid the movements of the Canadians and Indians and recover Louisburg, but to distress and conquer New England, the intelligence spread consternation abroad on every side.¹ Some of the Cape towns are found at this period petitioning and protesting against impressments for the public service. The inhabitants of Truro also memorialized the court, showing the exposure of that place to the ravages of the enemy, their impoverished condition, and asking for means of defence. A supply of small arms, a four pound cannon, and ammunition were granted them. Josiah Ellis and others of Harwich also petitioned to be constituted a distinct precinct, which was granted. — The Rev. Benjamin Fessenden, the minister of Sandwich, died, Aug. 7. — The following year, 1747, the impressment of seamen was again denounced, and its continued outrage severely felt in all parts of the county. — The Rev. Edward Pell was now the first pastor of the south precinct of Harwich, which parish was organized the previous year.

By act of the General Court in 1748, provision was

¹ This armament consisted of 11 ships of the line and 30 smaller vessels of war, with transports besides containing 3000 regular troops and 40,000 stands of arms for the use of the Canadians and Indians. The fleet had a long and disastrous passage, sustaining much damage by storms and great losses by shipwrecks, so that before its arrival it was reduced more than half. A mortal sickness then set in, carrying off a great portion of the troops. The two principal commanders died suddenly, one or both by suicide induced by despair of success, and the remaining ships returned one by one to France. The colonists acknowledged the hand of Providence in this, and regarded it as a great deliverance.

made for calling in the outstanding "bills of credit," and determining the rates of coined silver. The bills were to be redeemed at the treasury, in silver, at the rate of £2 5 old tenor, and £0 11 3 middle and new tenor, by one piece of 8 — that is, a Spanish dollar.¹ The funds to redeem the bills were the money voted by Parliament to reimburse the expenses incurred by the province in the reduction of Cape Breton, and a provincial tax of £75,000.

The peace of Aix-la-Chapelle this year caused much joy,² and was hailed by the Cape towns as the precursor of better times.³

¹ "Old tenor, middle tenor, and new tenor," had each slid down the lapse of depreciation. At first they were very little below par; but in 1702 an oz. of silver was equal to 6s. 10d. in bills of credit; in 1705 to 7s.; 1713 to 8s.; 1716 to 9s.; 1717 to 12s.; 1722 to 14s.; 1728 to 18s.; 1730 to £1; 1737 to £1 6; 1741 to £1 8; and 1749 to £3.

² By this treaty, Louisburg was given up to France very much to the chagrin of the Mass. colony. The conquest had been emphatically the people's enterprise — undertaken at their solicitation, fitted out from their resources, and accomplished by their courage and perseverance — and it was regarded as a place important to be held for the protection of commerce and the fisheries.

³ "Military glory is usually followed by national debt." The sum of depreciations, like those of 1749 and subsequent, is not to be estimated by figures alone. The poverty and distress of those depending on the income of moneys loaned; the decay of public institutions because of the diminution of their vested funds; the price of depreciation paid by officers and soldiers of the army in most injurious disproportion; the discouragement to the clergy, paid in an almost valueless currency, and the demoralizing temptation every man was under, almost in self-defence oftentimes, to avail himself of any advantage in his contract not guarded against at the time of its being made, were most serious evils; but perhaps more than all the remedies proposed: — the community, like the envenomed adder which under the operation of an invisible scourge stings its own body, increasing the cause

The excessive heat and drought that occurred at this period was a memorable event. A scarcity of provisions followed, and even hay and other provender for cattle were imported from Europe. Fortunately the succeeding autumn displayed the happy adaptation of nature so often remarked—the renovation of the earth and a profusion equal to the distressing deficit. The Rev. Joseph Lord of Chatham died this year; and the Rev. Isaiah Dunster was settled in Harwich as colleague of Mr. Stone.

In 1749, Lt. Gov. Phips was once more commander-in-chief, Gov. Shirley going again to England. A large amount of money provided by act of Parliament, was received at Boston and placed in the provincial treasury, amounting to the sum of £183,694 2s. 7½d.

of their ruin by similar experiments. Had the laws for supporting the credit of bills been strictly adhered to, the effect would have been the salvation of all, and the mutual reproaches which follow misfortune would not have been heard. For such misfortunes no one feels exclusively in fault, either individually or in a party aspect. The indiscreet use of foreign luxuries is always alleged on the one part; the fatuity of the people's own representatives in issuing a currency in its nature unstable and incapable of supporting credit, is the reproach cast on the other part even by such as at the time were well pleased and consenting. And yet the remedy which all again demand is some similar experiment sure to reproduce the same evils—the emissions again sliding down in a little time! A fluctuating and deceitful medium, taxing in fact all classes insensibly, is sure to draw away, as if by magic stealth, real property from its possessors and substitute imaginary wealth in its place, until sooner or later, as it must needs be, the bubble bursts, disaffecting friends with each other and threatening posterity with the evils which such a course propagates. The ideas of a people long accustomed to such a currency become fixed—they *think* they *cannot* do without it, and their fears perpetuate the evil.

One object of this act was to suppress the circulation of paper money and establish for the future a silver currency.¹ It provided, therefore, that after the 31st of March, 1750, all debts shall be paid in coined silver. This is said to be the origin of the term "lawful money." Notwithstanding the interests of the public and the principles of justice were, by this act, promoted and settled on a firm basis, and a sound and stable currency was established, many persons were opposed to it, and some even attempted forcible resistance.

Joseph Freeman, Jr. of Harwich, "for his services and sufferings in the late war, he having been grievously wounded by the enemy," was considered as entitled to pecuniary relief. The town of Sandwich received a pastor in the person of Rev. Abraham Williams ; and Chatham by the settlement of Rev. Stephen Emery.

In 1750, an excise act laying a duty on wine and spirits was passed, but the assent of the governor was refused.

The country, like ancient Rome, has, we have all along seen, enjoyed repose only at short intervals. Internal discord, troubles with the Indians, or foreign hostility, have often convulsed the state. Still the people are honest, frugal, industrious. As in the ancient Roman commonwealth, so here the first magistrates, the greatest generals, and, we may add, the most useful and eminent divines, were more or less engaged in industrious, laborious, and productive pursuits. The same

¹ This money was in 215 chests of about \$3000 each, with also 100 casks of copper. There were 17 cart and truck loads of silver, and 10 truck loads of copper.

hand that had become hardened by conducting the plough was often selected to guide the affairs of state or wield the sword in battle. Quintius Cincinnatus, M. Curius, Scipio Africanus, have each had noble representatives among our progenitors. Labor was not then degrading. It remained for the extension of commerce and the acquisition of plethoric wealth, here, as in Rome, to introduce those opposites to our pristine simplicity and virtue — avarice, luxury, and the concomitant evils — private and public corruption. There have always, however, even to the date of this present writing, been left among us some of the old Romans.¹

In 1751, Rev. Edward Cheever was settled in Eastham; and in 1752, Rev. Edward Pell of Harwich died.

In 1753, troubles again occurred between England and France. The latter was charged with a violation of treaties. War seemed inevitable; and it was at this juncture that we find WASHINGTON for the first time in public service — called in his 22d year, in his own state, as Major Washington, to execute a most important mission to counteract certain movements of the French among the Indians of the far west.

In 1754, the British ministry perceiving war to be unavoidable, suggested the expediency of the colonies uniting in some scheme for their own common defence.

¹ Of this we are forcibly reminded by some remarks in the Senate of the U. States made by a descendant from Cape Cod, now a senator from Maine, who, alluding with becoming self-respect as well as indignant scorn at the jeers of a southron against "the white laborers of the north," says, "The senator has entirely misapprehended the character of northern laborers. I am myself a laboring man. Educated in a

The proposal of a union came first from Gov. Shirley. It will be seen how suggestive was this of future unions for purposes not so well approved by royal authority. Left thus to bear the evils of war almost without assistance in the defence of their coast, frontier and fire-sides, the colonies were most effectually taught to rely on their own energies. They had already learned something of the art of war; they now learned what was their own strength.¹

Among the most remarkable legislative occurrences of the present year was the passage of a bill proposed for granting an excise on wines and other spirituous liquors. A similar bill, but less obnoxious, had once been rejected by the governor. *This* provided for putting, if necessary, every householder under oath as to the quantity consumed in his family. And, it must be remarked, the tax was not imposed to prevent the consumption of these articles, but to relieve polls and estates from what was, in contradistinction, called the "*dry tax*." ² Ecclesiastical changes this year occurred in

printing office, I now toil in the fields earning the bread I eat by the sweat of my brow. I, sir, am a representative of 'the laborers of the north.' "

¹ The plan of confederation was drawn by BENJ. FRANKLIN, July 4, just twenty-two years before that distinguished philosopher and statesman affixed his name to the Declaration of Independence.

² The provision in the bill being regarded as a regulation intended to invade the sanctity of private life, subjecting all persons not only to the oath, but to search and examination by inferior officers at discretion — which officers are not always of the finest sensibilities or the most approved manners, the governor denounced the plan. He held it to be inconsistent with the natural rights of private families; and further expressed his disapprobation of it as having been "tacked by way of condition to the ordinary excise bill." (There was "kite-flying," it will be perceived, even in those days.) The bill was regarded by one portion of the community as *unconstitutional*, inasmuch

the decease of Rev. John Avery of Truro, the retirement of Rev. Thomas Smith of Yarmouth, and the settlement of the Rev. Benj. Crocker in Harwich, south precinct.

Troops were raised in 1755, throughout the colonies; naval and land forces arrived from England; and expeditions were sent against Nova Scotia, Crown Point, Niagara, and Fort Du Quesne.¹ "A terrible earthquake occurred in America, Nov. 18,—the most violent ever known in the country." Traces of it now exist after a lapse of more than a century.

The Rev. NATHANIEL STONE, pastor of the ancient

as it descended into the private economy of families, obliging persons to exculpate themselves from an innocent act, contrary to the spirit of that maxim in law that no man is held to convict himself. It was also charged that it was calculated to produce perjury and bribery, and diminish the force of oaths. By some the virtues of spirituous liquors were celebrated, and the bubbling springs of the settlements were berated as loaded with danger flowing from mineral hills and through marshes and fens filled with the spawn of noxious reptiles. Mobs also were deprecated as the inevitable result of the passage of the bill. The bill was however, after all, finally a law, with some amendment, and signed by the governor. The town of Boston, thereupon, chose an agent to proceed to England to prevent, if possible, the act receiving the royal assent. Although the question had been submitted to the towns for their opinions on the bill, and the returns showed that the people were much divided on the subject, the CAPE does not appear to have been greatly agitated by the matter, nor did the dismal predictions of many seem to be fulfilled.

¹ Now Pittsburg. Braddock, the officer in command, was slain. Of eighty-five officers, sixty-four were killed or wounded, as were also about half the whole number of privates. Washington had two horses shot under him, and four balls passed successively through his clothes, but remained unhurt, and led off the remaining troops from this disastrous battle, the result of which might have been different had Gen. Braddock and his men known more of the mode of Indian warfare.

church of Harwich, died this year, aged 88, after a long and successful ministry, greatly honored and lamented.¹ The Rev. Caleb Upham was settled in Truro, and the Rev. Grindal Rawson in Yarmouth.

¹ REV. NATHANIEL STONE was descended from Mr. Simon Stone of Watertown, who, b. in Eng. about 1575, emigrated in 1635, in company with his bro. Gregory, their respective families and other friends, to America. They embarked Apr. 15 of that year in the ship Increase. The records of the Plantation Office, Lond., show that the above Mr. Simon was a husbandman, and aged about 50 yrs. Tradition says, "Simon and Gregory were sons of Rev. Timothy of the west of England;" also that there was "another bro., Rev. Samuel, who went to Ct." The two former settled on the borders of Cambridge and Watertown, near the present Mt. Auburn — Simon on the south in W. and Gregory on the east in C., the dividing line of these towns making very nearly the division of their estates, their respective houses standing near the line. Mr. Simon's was but recently, and is perhaps still, standing on the bank of the river in the rear of Mt. Auburn, a curious relic of olden times, and occupied more than 200 years by lineal descendants. He, Simon, was twice m., both wives dying before him. His will mentions 2 s. and 2 drs., but his children seem to have been Frs., aged 16 yrs. when he embarked; Anne, aged 11; Simon, aged 4; Maria, aged 3; Joe, aged 5 weeks; John, b. after his parents arrived here, viz., 6 mo. 15, 1636, as per Watertown records; and Elizabeth, 2 mo. 1, 1639. His w. Joan (Joanna Clark) mentioned in the certificate in the Plantation Office, put down as "Joan, uxor, æ. 38, d. Sept. 22, 1685, æ. 80. Mr. SIMON, the 3d of these ch., b. 1631, d. Feb. 27, 1708, æ. 77, of Watertown, m. Mary Whipple of old Ipswich, and had 12 ch., including 2 who d. in infancy, viz., Simon, b. 1656-7, d. 22, 7 mo. 1665, æ. 8; John, July 23, 1658, who d. at Groton, æ. 80; Matthew, Feb. 16, 1659, who d. at Sudbury, 1743, æ. 84; Nath'l, Feb. 1661, who d. 2 days old; Eben'r, Feb. 27, 1662, who d. in Newton, Oct. 4, 1754, æ. 92; Mary, 1664, who m. Starr of Dedham; Nath'l, April, 1667, who settled in Harwich; Elizabeth, 1670, who m. Stearns of Stoughton; David, Oct. 19, 1672, who d. at Watertown, 1750, æ. 78; Susanna, Nov. 4, 1675, who m. Goddard, and d. 1754, æ. 78; and Jonathan, 1677, who d. on the paternal estate, 1754, æ. 76.

REV. NATHANIEL (3d gen.) b. in Watertown, 1667, grad. H. C.

The year next ensuing, 1756, the French and Indian war, which had in fact been carried on without any formal proclamation of hostilities, was recognized by declaration. Pitt being at the head of affairs in Eng-

1690, m. Reliance, dr. of Gov. Hinckley, Dec. 15, 1698, and was ord. at Harwich, Oct. 16, 1700; his wid. Reliance d. May 24, 1759, æ. 84; he d. Feb. 8, 1755, æ. 87 yrs. and 10 mo. They had Mary, Sept. 16, 1699, who m. Barnabas Freeman of Eastham, Dec. 10, 1734; Zezia, Apr. 8, 1701, who m. Isaac Lincoln, Apr. 10, 1729, and d. Nov. 2, 1763, æ. 62; Reliance, Apr. 26, 1703, who m. Joseph Paddock of Yarmouth, Mar. 17, 1725-6, and d. 1734, æ. 31; Heman, Sept. 4, 1705, who m. Temperance Sturgis of Yarmouth, June 21, 1737, and d. Apr. 26, 1779, æ. 75; Nathan, Feb. 18, 1707-8, who m. 1st Judith Fox of Woburn, 2d Mary Thacher of Attleboro'; Thankful, Mar. 2, 1708-9, and d. May 3, 1781, æ. 73; Eunice, June 23, 1711, who m. David Bangs of Harwich, Sept. 23, 1731; Nathaniel, Nov. 29, 1713, who m. Mary Bourne of Barnstable, 1742, and d. Jan. 7, 1777, æ. 63; Achsah, Sept. 1, 1715; Hannah, June 30, 1718, and d. soon; Hannah, May 26, 1720, who d. soon; and Huldah, July 6, 1722, who d. 1727. [The genealogy will be resumed at a later date.] Rev. Nathaniel was ancestor of most of those of the name of Stone in Barnstable county. [The exception is a descendant of Gregory of Cambridge, b. 1590, m. in Eng. 1st Margaret Garrad, 2d wid. Lydia Cooper; "the deacon," who had John, "the elder of Sudbury," 1619, d. in Cambridge, now Framingham, May 5, 1683, æ. 44; Daniel, David, Samuel, Elizabeth and Sarah, all of whom m. and settled in C., then including Lexington and W. Cambridge on the N., and Newton and Brighton on the S. The above "Elder" was about 16 yrs. old when he came over, and m. Anne How, dr. of Elder Edw. H. of Watertown, and had Nath'l of Sudbury, youngest s., 1660, who m. Sarah Wait, Apr. 25, 1684, of Malden, and d. in Framingham. 1732, æ. 72; who had Hezekiah, youngest, of Framingham, 1710, who m. Ruth How of Sudbury, and d. July 18, 1771, æ. 60, from whom was Eliphallet, eldest, of Oxford, Sept. 5, 1735, m. Lydia Goddard, and d. Feb. 9, 1817, æ. 81; who had "Capt." Shubael, 3d s., of Marlboro', N. H., 176-, who m. Polly Rogers, and had Jeremiah, 4th s., Nov. 2, 1798, who m. Esther Wildes of Topsfield, and is now a prominent physician at Provincetown, and bro. of Rev. Cyrus, some time miss'y of the A. B. F. M. at Bombay.] Rev. Nathaniel Stone, mentioned at the head

land addressed a circular to the provincial and colonial governments assuring them that an effectual force should be sent by the crown, and calling on each to raise the utmost force that the population would allow.¹ Massachusetts was not backward in her duty, as facts too numerous to be recorded here attest; nor had the Cape been an unconcerned spectator of these movements even before this crisis. Many of its citizens had been actors in the events that occurred in Nova Scotia the previous year.

One of the incidents of the expedition of the previous year is of painful interest. In July, the 20th, of this present year, a large company of French people arrived at Sandwich, coming in at Monumet, in seven two-mast boats. Of these strangers, Silas Bourne, Esq. said in a letter communicating the fact to Col. Otis, then in Boston, "They profess to be bound to Boston,

of the present note, although pastor of the 1st church in Harwich, was resident in that part of the town since called Brewster, the meeting house standing about half a mile from the N. shore. The ancient church in H., by subsequent changes, came to be known as the Brewster church, the 2d or South church of the ancient Harwich, formed in 1747, becoming on the division of the town the 1st Congregational church of the latter place. Mr. Stone "was a man of piety, of talents, and of firmness, much revered and beloved by the people of his charge." He held a prominent position among the clergymen of his day, and published a volume, 1731, entitled "The Wretched State of Man by the Fall," &c.; also a sermon preached before the first Supreme Judicial Court holden in the county. He was tenacious of high literary and other qualifications for the ministry, and rigidly opposed to the introduction of an itineracy. He received an assistant as colleague in 1748, in the person of Rev. Mr. Dunster.

¹ The number of men brought into the service was 50,000, of whom 20,000 were furnished in America. Three expeditions were resolved upon, and Louisburg, Ticonderoga and Fort Du Quesne were the points.

and want their boats carted across to the opposite bay. They have their women and children with them, and say they were last from Rhode Island, but previously from Nova Scotia." Their business and character being unknown, Mr. Bourne expresses a "fear that they may continue, when once in the bay, to miss Boston, and go to strengthen the enemy." He thought it "safe, therefore, to detain them." They were, accordingly, "ninety in number, distributed among the several towns for safe keeping until the matter could be better understood." Subsequently we find the General Court ordering "that the canoes left at Sandwich by the *French neutrals* who deserted from the southern government. shall be sold." To many the character of this people was for a long time a profound mystery. It can be hardly necessary now to say, they were ACADIANS who, in obedience to advices from England, had been banished from their homes consequent upon the successes in Nova Scotia — thousands of whom had been scattered abroad heart-broken and bereft of hope, who finally through manifold hardships became extinct.¹

¹ LONGFELLOW, in "Evangeline," has a beautiful tribute to their memory; and others have written touching tales of the sufferings of these earliest European occupants of the country. The story of this people is peculiar. "Frugal in their habits and of a mild disposition, their attention had been turned from hunting and fishing, the delight of their ancestors, to the cultivation of the soil, and by diligent effort had reclaimed from the forest and the ocean the farms on which they dwelt. By the treaty of Utrecht, however, they had been brought under the dominion of England; but still loved the language and usages of their fathers, and the religion of their childhood was engraven upon their souls. For forty long years they were totally neglected by the English, but prospered and their substance increased. The crops of their well-cultivated fields were rich; flocks and herds

The town of Truro again petitioned for arms and military assistance, representing their privations and their exposed situation. Provincetown harbor was, thereupon, *ordered* to be "fortified by a battery of six

grazed their meadows and roamed over the hills ; domestic fowl abounded ; and the thickly clustered villages of neat thatch-roofed cottages sheltered an industrious, harmless, frugal, and happy people. The spinning-wheel and the loom were busily plied ; and from morn to night matrons and maidens, young men and their sires, toiled for the bread which they ate in peace and content. This gentle people, distinguished for their benevolence and kindness to strangers, were known as 'the neutral French,' because of the obligation which they had subscribed. Happy in their seclusion, they conducted their affairs in the simplest manner ; each family provided for its own wants ; no locks were needed for their doors ; 'no tax gatherer counted their folds ; no magistrates dwelt in their hamlets.' They were too inoffensive to require the interference of the arm of the law, and their disputes were amicably settled by their elders. Poverty was rare ; early marriages were encouraged, and fathers delighted in settling their children in a cottage of their own. Living in love, their lives glided on 'like rivers that water the woodlands, reflecting the image of heaven.' Since the English had settled around them, they had been grievously oppressed ;—and now the advices from England were that they should be *driven* from their homes. Even the liberty of transmigration was denied ; they must be treated as *captives* and sent out and scattered over the continent to live among the English. Averse to exile, voluntary obedience was not to be expected ; artifice was the resort ; they were entrapped and kidnapped ; Aug. 30, 1755, a proclamation was issued ordering all the male inhabitants of the settlements, of 10 years of age and over, to assemble at the church at Grand Pré on Friday, Sept. 2, prox., at 3 o'clock, P. M., then and there to hear his majesty's orders, and no excuse was on any pretence whatever to be admitted 'on pain of forfeiting goods and chattels in default of real estate.' Some, through fear, fled to the forests ; but 418 men unarmed came to the church which they found occupied by English troops as their head quarters. The doors were at once closed, and these poor men stood to hear—what? 'It is his majesty's orders, and they are peremptory, that the whole French inhabitants of these districts be removed. Your lands and tenements, cattle

guns, viz., two nines, two sixes, and two four pounders," &c. We cannot learn that this was ever done: indeed the very next year we find the General Court directing that "all these proceedings be stayed."

In 1757, THOMAS POWNAL who had been appointed to succeed Gov. Shirley¹ not arriving to assume the gov-

of all kinds, and live stock of all sorts, are forfeited to the crown, with all your other effects, saving your money and household goods; and you yourselves are to be removed from this province.' Sad was the announcement to the imprisoned captives,—received at first with speechless amazement, in unbroken silence as each gazed on the countenances of the others;—anon, a loud wail of anguish echoed through the aisles and arches of the building. It was a cruel sentence, and every heart ached that night in Grand Pré and throughout the district of Minas as the intelligence reached the inhabitants from the lips of the 20 men who were permitted to go forth. At the appointed day, the inhabitants met for the last time—in all 1923 souls. The prisoners in the church were drawn up six feet deep, and the young men, 141 in number, were ordered to march first on board the transports. With frenzied despair, they refused to be separated from their parents and companions, and were forced at the point of the bayonet. Women and children knelt by the way through which they passed, weeping and praying for blessings on their heads. Next the fathers, 109, embarked. Mothers and little ones were to wait until fresh transports arrived. The removal of the women and children was not effected until the cold of December came. A large number of these Acadians in the different districts escaped; the rest, 7000 in all, were scattered from New Hampshire to Georgia. Many scattered abroad would have perished from hunger and cold, but for the charities of the humane. Some went to Hispaniola and there died. Many died elsewhere of broken hearts. That people are extinct—unless, peradventure, a few of their descendants survive unknown as such and oblivious themselves to the sufferings of their ancestors."—See *Barry's History*.

¹ Gov. WILLIAM SHIRLEY enjoyed a high reputation as a civilian, but not as a military man. The abolition of the paper currency was owing in a great degree to his firmness and perseverance. He died March 24, 1771.

ernment, the council administered. Provincetown was allowed £20 for the support of the gospel. The Indians of Eastham and Harwich complained to the General Court "that their lands were encroached upon and taken from them," referring particularly to "a certain neck or beach in or near Eastham called Billingsgate Point or Island, the place most convenient for the whale fishery in the whole county, and always before so improved." They asked the interposition of the authorities in their behalf.

In 1758, of the 7000 men raised "for the reduction of Canada," the Cape furnished its full quota; and this, it may well be supposed, was no inconsiderable number when it is said that "nearly one third of the effective men of Massachusetts was enrolled." Other northern provinces lent efficient aid; the southern were crippled by "peculiar circumstances which made it inexpedient to enlist many whites."

The campaign in 1759 had for its object the entire conquest of Canada; and Quebec, Ticonderoga, Crown Point, and Niagara were the places destined to attack.¹

¹ It was during this campaign that Gen. Wolfe, who conceived the bold design of scaling the "Heights of Abraham," and had reached the "Plains" where a bloody battle ensued, having received a fatal wound requested that he might be lifted up still at least to witness the engagement, and on hearing the words, "They fly!" cried out, though faint with the loss of blood and his eyes dimmed by the approach of death, "Who fly?"—and on being told, "The enemy," exclaimed, "Then I die content," and at once expired. It is but justice to add that the French commander, Montcalm, being also fatally wounded and told by his surgeon that death was inevitable, replied, "It is so much the better; I shall not then live to see the surrender of Quebec."

In 1760, Gov. Pownal having solicited his recall and been appointed governor of New Jersey,¹ Thomas Hutchinson, lieutenant governor, presided until Sir FRANCIS BERNARD, appointed, arrived, August 2. One of Bernard's first offences was, in his inaugural address, to refer to "the blessings of subjection to Great Britain." The House, in reply, instead of acknowledging their *subjection*, were careful to express simply their "relation" to that country.

Another effort was now made by different parts of the county acting in unison, to induce the General Court to lessen the number of courts in the county. The Rev. Oakes Shaw was this year settled over the West parish in Barnstable; and Rev. Mr. Rawson retired from the charge of the Yarmouth church.

The conquest of Canada leaving England at liberty to listen, insinuations were made touching the danger that America might at some day throw off its allegiance. Among the prerogative party in America were some always aspiring to royal favor, ready to fan the flames of suspicion. It was now too, that foremost among the opposite or liberal party, a noble son of Cape Cod began to be prominent — an orator of superior power, of large heart, of enthusiastic daring; bred in the school of true patriotism, and inheriting those virtues that were personified in the venerable

¹ Gov. POWNAL's measures were accommodated with great address to the state of the people. Having solicited his recall, he was appointed lieutenant governor of New Jersey, and subsequently governor of South Carolina. In 1768 he became a member of Parliament, and in that position strenuously opposed the measures of the administration against the colonies, declaring that the people of America were universally, unitedly, and unalterably resolved never to submit to any internal tax imposed by any legislature in which they were not represented. He died Feb. 25, 1805, æ. 83.

member from Barnstable — then speaker of the House.¹ The exigencies of the day began to call for noble men, and noble men appeared.

The news of the death of King GEORGE II. was received in New England, Dec. 17, and events soon transpired significant in their influence upon the freedom of America. The people were becoming more and more sensitive in regard to any attempted or supposed invasion of their rights.²

¹ That Barnstable should have the honor of being the native place of two such men as the elder and younger James Otis, father and son, both now prominent on the side of the people, is a circumstance of which that town may well be proud. Other sons also of the venerable James Otis Sr., were, as will be seen, greatly distinguished.

² A notable verification of this was an occurrence the following year, 1761, transpiring on a trial of a most important question, — the legality of writs of assistance which the officers of the customs had applied for to the judges of the Supreme Court. It was this event particularly that began to give to James Otis Jr. a world-wide and enduring reputation. Whilst the chief justice, Thomas Hutchinson (who was also lieutenant governor) and his four associates sat upon the trial, in the crowded council-chamber of the old town-house in Boston; after “the learned, talented, majestic Gridley,” as king’s attorney, — allowed by all to be at the very head of his profession, — had opened the case in a masterly manner; and after Oxenbridge Thacher, a lawyer of great learning and distinction, had replied with signal ability; Otis, then a young man, who had been a pupil in the law-office of the king’s attorney, arose to speak in behalf of the inhabitants of Boston, whose houses if the application of the crown officers was sustained, those officers would be authorized to enter at discretion — and said, “I am determined to my dying day to oppose with all the powers and faculties God has given me, all such instruments of slavery on the one hand and villany on the other as this writ of assistance is. I argue in favor of British liberties at a time when we hear the greatest monarch upon earth declaring from his throne that he glories in the name of Briton and that the privileges of his people are dearer to him than the most valuable prerogatives of the crown. I oppose the kind of power the exercise of which in former periods of English his-

In 1761, the "French neutrals" still remained in Barnstable County, as appears by various records. The Indians of Mashpee seem to have partaken of the spirit of the times: they complained of their political condition, and asked for larger liberty; and the plantation was erected into a DISTRICT. By the report of the committee who brought in the bill, the plantation was

tory cost one King of England his head and another his throne. Let the consequences be what they will, I am determined to proceed and to the call of my country am ready to sacrifice estate, ease, health, applause, and even life. The patriot and hero will ever do thus. And if brought to the trial, it will then be known how far I can reduce to practice principles which I know to be founded in truth." His whole plea was most able, and was poured forth and listened to with almost breathless attention for over four hours — a stream of eloquence, patriotism, and legal acumen, creating most intense excitement. Well did John Adams say, in reference to that plea and occasion, "Otis was a flame of fire; with a promptitude of classical allusions, a depth of research, a rapid summary of historical events and dates, a profusion of legal authorities, a prophetic glance of his eyes into futurity, and a rapid torrent of impetuous eloquence, he hurried away all before him. American independence was then and there born. Every man of an immense crowded audience appeared to me to go away, as I did, ready to take up arms against writs of assistance." The same year the gifted orator and patriot was chosen a representative of Boston. We are quite willing that Boston should claim him as her *adopted* son, as she has claimed many of Cape Cod origin; but we submit whether the county of his nativity and where he grew up to manhood may not indulge a laudable pride in the contributions it has made from time to time to the renown of the metropolis. It might to the cynic appear like vaunting to enumerate the long catalogue; and we may well be content to name only the Rev. Thomas Prince and the younger Otis; although whether we survey the list of eminent divines, distinguished statesmen, accomplished scholars, learned jurists, and others, or scan the columns of commercial enterprise, we are not soon restricted. The fact may have been ignored in history and the Cape passed by as a *terra incognita*; but the peninsula of Cape Cod has been in more senses than one "the right arm of the commonwealth." A statue of Otis has recently been erected at Mount Auburn.

represented as eight miles by five or six in extent, containing sixty-three wigwams and two hundred and thirty-seven inhabitants.

In 1762, the Rev. Joseph Green, Jr. became the pastor at Yarmouth first church.

In 1763, by the peace of Paris, Canada, Nova Scotia, and Cape Breton were conceded to the English. Glorious as the result was deemed in England, it was still more a cause of congratulation here as affording to the colonies an interval of repose. Hon. Sylvanus Bourne of Barnstable died September 18, aged seventy.¹

WELLFLEET which had continued hitherto a part of Eastham, and which had for some years been the North Precinct in said town, was, May 25, incorporated as a district with the powers of a town excepting that it was to be joined with Eastham in the election of representatives.

Facilities for communication between different parts of the province were by this time enlarged, and intelligence of stirring events was now being more readily disseminated than formerly — though still very infrequent and comparatively slowly — through the medium of “the posts.” It was a time too when such intelligence was eagerly sought. England seemed now, in

¹ Hon. Mr. BOURNE, son of Melatiah of Sandwich, was many years judge of the Court of Common Pleas, and at the time of his death chief justice; more than 20 years of the Council; judge of probate about the same length of time; colonel of militia, &c. He was father of Judge William Bourne of Marblehead. He is represented by his contemporaries as a man of considerable attainments, polished manners, agreeable wit, and withal deeply religious.

the view of many, to be arrogant in her control of her American colonies.¹ She had, by the peace of 1763, and by her complete triumph over the French (which was in truth the achievement very much of the colonies themselves) become mistress of the seas and in fact arbiter of the world. But now, apprehensive that

¹ That the American people, children of the same stock with themselves, were heirs to the same political rights, seemed to be out of mind with the government of England; and if Americans were not absolutely held in contempt, it appeared to be thought that their labors and money must, if demanded, be given, with or without consent, at England's dictation. But the people here having grown up with a proper self-respect, understood as they thought their own *rights*. Their early privations and toils and dangers had contributed at least to make them strong and brave. When the British government could afford the colonies no protection, and therefore proposed their uniting in their own self-defence against the French, in 1754, the plan of union penned by Franklin and adopted by the colonies, was considered in England as in some of its features objectionable: it "gave too much power to the *people*." There were also many in the colonies who thought it "conceded too much to the *king*." So diverse, even then, were the views of the Americans from those of the British government! As long as the French war continued, England wanted the *services* of Americans: now, the government wanted to derive a *revenue* from them. A great addition to the usual taxes of England was necessary; and the ministry, apprehensive of rendering themselves unpopular by pressing too severely on the resources of the people at home, determined to supply the deficiency by a system of extortion and depredations in the shape of duties upon the colonies.

We may as well say here, *en passant*, the causes that led to the American revolution naturally lead to an inquiry into the principles of the tenure by which the people of the American colonies held *the right of soil*, and the principles of *the jurisprudence* by which they were *governed*. By the laws of *nature*, occupancy and possession is the only law of title. The law of force gives no just right to property; for might often overcomes right. When the Christian princes of Europe granted letters patent to adventurers to discover and possess the soil of foreign lands, they well knew that they had really no more right to grant such authority than the Pope of Rome had in exercising

a people of such amazing energy as the colonies had displayed, possessed of such resources, and governed by such principles of civil and religious liberty, might some day conceive the idea of becoming themselves a great, powerful, and independent nation, a question of prominence and interest arose: viz., how can Great

the same power centuries before. And if the very first principles of their claims were thus founded in error, all subsequent claims arising therefrom were supported by error. The aborigines possessed by right of occupancy, or possession, from time out of mind. This also confirmed their title by the rights of prescription according to the common law of civilized nations. Great Britain could not then claim either by the law of nature, or the common law of nations. She never pretended to claim by the right of statute, for she had no right on which she could found a statute. The kings of England authorized foreign discoveries, with the right of occupancy. But did they in the present case become joint partners by furnishing any part of the capital to support the adventurers? None. Where reposes her claim? The only answer that could be given was, the soil became settled by lawful subjects of the crown. But were the claims over or upon the lives and property of those subjects, and the laws she enacted, valid and of binding force upon exiles in a distant and foreign land? She claimed no such right over exiles in Germany, France, Switzerland, or Holland: why in America? True, it will be said, her claims were mutually understood and acknowledged by the parties. This was undoubtedly the fact so far as their mutual interests extended. But, this state of things ended, were not the parties, of right, at liberty? The right of the exiles, to the soil, was alleged to be, first, *purchase* from the natives who were the rightful owners; and, second, occupancy and labor and treasures bestowed in clearing, cultivating, and defending these purchased possessions. Hence, when England drew her sword to defend and enforce her claims, and to compel the exiles to yield, the colonies felt justified in setting at defiance her power, and proclaiming their independence. It constitutes necessarily no part of the argument, whether the early settlers were compulsorily exiles, or exiles simply from choice. It would, indeed, be too much to say that, but for the oppressions by England, the colonies would never have claimed alone the rights which they had been content to enjoy for so many years in connection with the mother country; for the time, in

Britain most effectually secure her permanent sovereignty over these rising colonies? It was a momentous question, and even thus early divided her councils. The impression became general that the colonies were rich, and that the principal men were living like lords upon their estates, whilst the people of England were

any event, would undoubtedly have arrived when this great country would claim its independence and right to rank among the free and enlightened nations of the world. That sage in the councils of England, the venerable Earl of Chatham, understood this; and, foreseeing it, gave suitable counsels and warning.

Again, it may be said, we well know, "the colonies submitted the entire question by taking out letters patent and acknowledging the jurisdiction of the crown." True: but such was the obscurity of rights in that age; besides, the force of circumstances was imperious. But from their very acquaintance with the natives, they soon saw what was the Indian's natural freedom; and it were strange if the idea did not begin to possess their own minds that they also should be free. Moreover, they expected from the letters patent, or charters which they received, a guarantee of protection in their rights from the encroachments of others; and, instead, were, as they conceived, vexed by continued oppressive acts undermining those civil and religious institutions they had planted upon the basis of a supposed freedom and natural, rational liberty. They felt that England but illy performed her part of the contract, and fell far short of realizing their reasonable expectations. And, with their eyes open to their true situation, they at last sought redress. Thereupon, England became, as they conceived, more exacting and oppressive. She resolved to tax them; and the colonies believed that submission to this as a right claimed by Great Britain would be additionally dangerous to liberty. They believed that the right claimed once admitted, the people of the colonies would be, in effect, slaves forever. True: Great Britain proposed to furnish an army, and to pay them; only taxing the colonies for remuneration. But this was seen to be a flimsy pretext, and was ably exposed. The colonies declared themselves now able to take care of themselves. The Eastern colonies had, without the aid of England, taken Louisburg: they could defend themselves. Great Britain, notwithstanding, was restless without some assurance of a permanent sovereignty over the colonies. But here, to the honor of humanity,

oppressed with taxes for the support and protection of the colonies. That a vast debt had been incurred by Great Britain, was not doubted by the colonists; but that the debt had arisen from support and defence of the colonies, was not so apparent. Besides, Great Britain held Canada as an indemnity for the expenses

it should be recorded, her councils were divided. The elder PITT stood forth, at the head of a noble party, for mild and generous measures. *North* and *Bute*, at the head of the other, were for bold, energetic, and coercive proceedings; and the counsels of the Earl of Chatham were set at defiance. The result was, a regular system of duties on merchandise was agreed on. Great Britain's permanent and equitable revenue from her colonies under her navigation act, by profits on her extensive manufactures, and from the duties drawn from commerce, she was unwisely ready to risk to gratify a haughty and imperious lust for domination; and a system was adopted that, in the opinion of the colonies, amounted to prohibition. The colonies, uninfluenced by the plausibility of England's pretexts, saw the evils that would result to themselves, and naturally took alarm, resolutely determined to resist all usurpation at the threshold. They saw, or thought they saw, in contemporary and subsequent proceedings, despotism in the abstract; and the alarm against usurpation and tyranny was rung through the land, the patriotic rallied around the standard of liberty, and determined to protect their rights. It was, indeed, a bold and noble resolve; and was carried out by as sagacious, resolute, and noble-minded men as the world ever produced.

The restrictions on trade, under the navigation act of 1660, had been borne with patience, because those restrictions were supposed to be of natural utility, and implied no concessions to the crown inconsistent with freedom and their rights. But now a cloud overspread the horizon that told them that their dearest rights and the purest principles of liberty, were being obscured, and that the maxim interwoven with all their political creed, that "taxation and representation were, and ought to be, inseparably connected," was about to be trodden in the dust. Gov. Bernard himself clearly intimated to the English government that the duties, if persisted in, would ruin the commerce of America, and, at the same time, destroy the best interests of Great Britain: but all was of no avail.

Touching the right by "discovery," to which we have referred, we

of the war. It ought to have been foreseen that, with so flimsy a pretext, to tax America was to pursue a plan of usurpation and despotic sway that might eventually *force* a conflict between the colonies and the parent country rather than secure the permanency of the colonial connection.

may add that from the time of Columbus who landed at St. Salvador, (the first island discovered,) in a gorgeous dress, with drawn sword in hand and the royal standard displayed, taking possession for the crown of Castile and Leon, — leading to the inscription on his tomb, that he had given a new world to Spain, — the practice of Europeans became general to take possession, by the right of discovery, of whatever parts of America they were the first to visit. With this practice the Pope of Rome accorded; the propagation of Christianity being held out as the ostensible object. Religious considerations were thus made a pretext for every species of injustice, cruelty, bloodshed, and slavery. How lamentable that the religion of Christ that breathes “peace and good will towards men,” should have been so abused and stigmatized by the hyprocrisy of those possessed by base passion only for worldly aggrandizement! If subsequent discoverers and adventurers have truly been influenced by nobler motives, it may justly be expected that their actions will clearly discover the sincerity of their professions.

In the “General Considerations for the Plantation in New England,” in 1629, it was said, “The whole earth is the Lord’s garden, and he hath given it to the sons of Adam to be tilled and improved. . . . It is the revealed will of God that the gospel shall be preached to all nations; and though we know not whether the Indians will receive it or not, yet it is a good work to observe God’s will in offering it to them; for God will have glory by it though they refuse it. . . . But what warrant have *we* to take that land which is, and hath, of long time been possessed by others of the sons of Adam? That which is common to all is proper to none. This savage people ruleth over many lands without title or property; for they enclose no ground. . . . And why may not Christians have liberty to go and dwell amongst them in their waste lands and woods (leaving them such places as they have manured for their corn) as lawfully as Abraham did among the Sodomites? For God hath given to the sons of men a twofold right to the earth: there is a natural right and a civil right.”

CHAPTER XIX.

The Mother Country becomes oppressive. — Stamp Act. — Taxes imposed. — Soldiers sent over. — Convention. — Certain offensive Acts repealed. — Duty on Tea retained. — Pocasset a Parish. — Gov. Hutchinson. — Public Meetings. — Tea destroyed. — Tea Ship ashore at Cape Cod. — Fire in Sandwich Woods. — Gen. Gage. — Boston Port Bill. — League and Covenant. — General Congress. — Diverse Views among the People. — Movement in Barnstable County.

THE repose of the colonies after the French and Indian war was, as we have suggested, of short duration. Troubles assailed them from another quarter. The mother country was regarded as oppressive. Measures of the British government, founded on their claim to make laws and levy taxes on the people of the colonies without their consent or representation, began, in 1764, to elicit much discussion and to create much uneasiness. The colonists, we have before said, were always extremely sensitive in regard to any supposed invasion of their rights: they had now, for various reasons, become more sensitive in this respect than ever. England had, "in defence of her American possessions," as was said, "incurred a vast debt;" and a plan of revenue by taxing the colonies was therefore brought forward in Parliament, Sept. 29, "to obtain indemnification." An excise was imposed on certain goods, and stamp duties were also proposed. Until this time the *colonies* had been permitted to tax *themselves*.¹

¹ The colonies now, as ever, contended "that taxation and representation should go together." This was, in fact, the very hinge on

The stamp act having been passed by Parliament, great excitement was, in 1765, beginning every where to exhibit itself.¹ A measure so obnoxious, imposing a heavy tax on almost every necessary transaction of business, caused the most determined opposition.² The stamp officers in the colonies generally were compelled by the people to resign, and the stamp act became in consequence a nullity.³

A congress of deputies from each colony, to meet at New York in October, having in the emergency been proposed, "to consult on the common interest," the first Continental Congress ever held met at the time appointed. TIMOTHY RUGGLES, Esq., whilom a resident and inhabitant of Sandwich, was chosen president of the assemblage. Their first measure was a declaration

which the revolution, now in embryo, turned. Dr. Franklin, then in London, had written home, "The sun of liberty is set; the Americans must light the lamps of industry and economy;" and Charles Thompson, in reply, had said, "Be assured we shall light torches of quite another sort,"—thus predicting the convulsions to follow.

¹ By this act, a single ream of blank policies of insurance worth £20, was increased in expense to £190; a ream of bail-bonds before costing £15, was made to cost £100; and all deeds, notes, &c., on unstamped paper were declared henceforth null and void.

² In Boston the bells were muffled and tolled a funeral peal; the crown officers were insulted, and various demonstrations of a spirit of defiance were made.

³ It may be pertinent here to mention that when the same spirit of resistance to the stamp act was exhibited in New York, a descendant of Cape Cod was the prominent spirit in the transactions recorded as occurring there. *Capt. Isaac Sears*, who had commanded a privateer, put himself at the head of the disaffected, with "Hurrah! my boys, we *will have* the stamps!" and he was as good as his word—they were seized and committed to the flames. The governor dared not resist. Sears was then placed by the people at the head of the committee for general safety.

of the rights and grievances of the colonists; asserting the former to be "the rights and liberties of the natural born subjects of Great Britain — the chief of which are the exclusive power to tax themselves and the trial by jury — both of which Parliament by its recent acts has invaded."¹

The stamp act was repealed, Jan. 16, 1766, through the influence of Mr. Pitt, Lord Camden, and others — a change having taken place in the cabinet; but the repeal was preceded by a declaration of Parliament that they had and "of right ought to have power to bind the colonies in all cases whatsoever." This declaration gave great offence.

In 1767, the favorite project of the British ministry being still persisted in, — that of taxing the colonies, — an act was passed imposing certain duties, viz., on tea, paper, glass, paints, &c.; a custom house was established; a board of commissioners appointed; and two regiments of soldiers sent over, to be stationed at Boston, to sustain the parliamentary act. And yet another most arbitrary act ensued, — a measure that was not needed to exasperate the people, for they were already sufficiently indignant, — a provision that all offenders

¹ When Mr. Grenville, in Feb., opened the plan of the stamp bill, a member in its support asked, in debate, "*Will* these Americans, planted by our care and nourished by our indulgence, as well as protected by our arms, grudge to contribute their mite to relieve us from heavy burdens?" — the rejoinder of Col. Barre, worthy of his noble and honest heart, was, "Planted by your *care*? — no! your *oppressions* planted them in America. Nourished by your *indulgence*? — they grew by your neglect. Protected by your *arms*? — they themselves have nobly taken up arms in *your* defence." Col. Barre had resided in America and was familiar with its history.

against the laws shall be sent to England for trial! This was denominated "the *mutiny* act." The impression upon the colonies was imbittering. Firm to their rights, resolves, petitions, remonstrances and addresses were the first resort; in these the Cape towns not only participated, but were among the foremost. No people were more indignant and determined than they.

In 1768, the General Court having refused all compliance with the mutiny act and it having been peremptorily demanded of them that they should rescind, a spirited debate ensued in which James Otis, Jr., now become a representative from Boston, said, "Let *Great Britain* rescind: if she does not, the colonies are lost to her forever." The remark is not claimed as *prophecy*; but it *was determined* as the inevitable result if Britain should persist in her present policy.

A convention was appointed to be held, in September, "on important business," in Faneuil Hall, Boston. In this convention the towns on the Cape were fully represented. Gov. Bernard had, in June, first prorogued and then dissolved the General Court for refusing to rescind the resolution that had led to a circular from the House of Representatives to the legislative assemblies of the other colonies; and application having been made to him to convene the General Court again, he had declined. Not only so, but a large body of troops were on hand to enforce at the point of the bayonet offensive acts. Delegates, therefore, from ninety-six towns and eight districts assembled. They *petitioned the king*. They had barely the opportunity to do this: for, the very day after their grievances had been stated and "an address of the sovereign people" had been issued, almost simultaneously upon their ad-

jourment, the town of Boston was garrisoned by 4000 regular British troops. The convention, however, were together long enough to cause their influence to be felt and feared by the governor and his satellites.

The feelings of the people of the province, already sufficiently chafed, became, in 1769, entirely irrepressible. The presence of a mercenary soldiery sent from England with the design of intimidation, was quite too odious and provoking to be borne. Numerous, indeed, were the causes of irritation from day to day; quarrels between the soldiers and the people of Boston were of almost constant occurrence.

The General Court, convened May 30, was, after altercation with the governor, removed to Cambridge.¹ The governor, July 6, made a requisition on the court for funds "to defray the expenses of the troops in Boston;" this was promptly and indignantly refused.

Non-importation associations, under the motto, "united we conquer; divided we die," began now to be the order of the day in the towns and indeed in all the colonies; but nowhere did the fires rage with greater violence than in Massachusetts, for here were the "insolent foreign troops," and here was the focus of the approaching revolution.² Bernard left³ the province,

¹ Why should they legislate in Boston surrounded by the minions of power, and at the very mouths of a tyrant's cannon!

² The agreement of non-intercourse with the mother country had been entered into first by numerous and highly respectable merchants of Boston, who had issued circulars to the several towns. The Cape towns took action at once and adopted stringent resolutions in accordance with the doings of the patriotic in Boston.

³ Gov. BERNARD found no good resulting from the aid of the military. He became daily more obnoxious to the people. His course,

and the administration devolved on Thomas Hutchinson, lieutenant governor.

On the 5th of March, 1770, an affray having taken place between a detachment of royal troops under Capt. Preston, and inhabitants of Boston, in which three of the latter were killed, and five dangerously wounded, the excitement became intense. The sympathies of the people were every where enlisted with Boston, the inhabitants of Barnstable County not failing to bear a prominent part.

During the year, Lord North was appointed prime minister of England, and all duties were repealed except that of 3d. per pound on *tea*; by which the ministry intended to establish their right to raise a revenue in the colonies. This the people understood, and resolved to *resist* — utterly opposed to the principle of taxation in whatever shape.¹

however, was so agreeable to the ministry that he was created a baronet, Mar. 20, and, Aug. 6, becoming a member of Parliament, he left the scene of contention. His administration had been felicitous in good degree at the first, saving some abatements; but existing during a most interesting and perplexing period of American history, he could not with fealty to his sovereign conduct in any way that should not occasion great dissatisfaction among the people. As there were opposing parties — the one determined defenders of the rights of the people, the other advocates for the crown — it was impossible for him to retain a neutral position. When found desirous of strengthening the royal authority in America, the friends of liberty uniformly opposed him. His appointment of Mr. Hutchinson, too, as chief justice, in derogation of the claims of the elder James Otis of Barnstable, was highly censured. He seems, in a word, to have had no talent at conciliation, if he had the disposition. He died in England in 1779.

¹ Though all other offensive measures be repealed, the duty of 3d. per pound on *tea* remaining showed that the *principle*, the real point in question, was not conceded; and it was seen that if this tax, though

The business of the country being greatly obstructed and difficulties thickening, many persons removed from Harwich, Chatham, and other places, to Nova Scotia. These persons, generally most worthy citizens, were not influenced to this step by any overweening partiality for Great Britain, but by economical and business considerations alone. The fertile, though rough, lands of that province had their influence; but the chief intent was the prosecution of the fisheries under more favorable auspices.¹

We have been so engrossed by the general features of public affairs at this period, that we have probably passed by some transactions of merely local interest for several years; but these will appear in the annals of the towns. The great questions that absorbed the public mind were themselves not merely general, but of local interest. They were felt to be so here; and here were master-spirits in directing and aiding the movements designed to promote the great cause of true patriotism and American liberty. If we make these movements prominent in this part of our History, it is because justice requires it — a necessity is laid upon us.

A petition from the inhabitants of that part of Sandwich called Pocasset (the Indian *Pokesit*) set forth that

small, were not resisted, Great Britain would establish the right she claimed, "of binding the colonies in all things whatsoever," as set forth in her "declaratory act."

¹ The numerous families of Cape origin in Nova Scotia, many members of whom have been greatly distinguished, impose on us the obligation to guard the reader against the impression that the ancestors of all were tories. Most of these removed thither *prior* to the revolution. Some few fled thither subsequently; but the former should not be confounded with the latter. They have no share in the odium.

Mr. Tupper¹ had "been for some time preaching to the Indians," and that "the white inhabitants of the neighborhood" had "also attended his ministry, and built a meeting house for the mutual accommodation" of both races, "assigning seats in the same to the natives." They prayed, therefore, that themselves, "embracing 30 families and about 200 souls," might "be constituted a distinct parish." The application was granted; and it was determined that the bounds of the precinct shall be as follows: "Northerly by the lands of Wm. Tobey and Jona. Tobey, inclusively; easterly to the extent of the petitioners' lands in the woods; southerly by the Falmouth line; and westerly by Buzzard's Bay."

We have, in our minute attention to political events, been apparently oblivious to the ecclesiastical changes which have occurred in the county for some years. These we have not designed to mention with much particularity in our county history, but to reserve the chief notice of them for the annals of the towns. We may here, however, make amends for any seeming delinquency, by stating that Rev. Nathan Stone became pastor of the E. church in Yarmouth, since Dennis, in 1764; Rev. Mr. Green and Rev. Jona. Mills became supplies for the church in Provincetown, respectively, in 1760 and 1765, the latter being transferred to the S. precinct in Harwich in 1766; Rev. Mr. Green of Yarmouth died in 1768, and Rev. Timothy Alden was settled as his successor in 1769; and Rev. Mr. Green of Barnstable died in 1770, being succeeded by Rev. Timothy Hilliard in 1771.

In 1771, THOMAS HUTCHINSON was appointed and re-

¹ Rev. Elisha Tupper.

ceived his commission as governor. The resentments engendered by the proceedings in Parliament were still in the ascendancy. Hutchinson, in spite of the remonstrances of the members, used his prerogative of adjourning the General Court from Boston to Cambridge and then to Salem. The "sons of liberty" were active and determined. The General Court now refused to do business out of Boston, and sent a message to the governor, saying, "The people have a right to appeal to Heaven when despotic rulers abuse their power;" and protesting that "the grievances of the people are too great to be much longer borne."¹

¹ Great Britain believing she had power to enforce her demands so stoutly resisted by the colonies, drew THE SWORD, unfortunately for her honor and integrity; the colonies, as she might have foreseen, set her threats and coercive attempts at defiance, and proclaimed their rights. Had she refrained from oppressive measures, been content to rule without usurpation, and moderated her despotic sway, there can be no doubt the connection would have been prolonged; but it can hardly be supposed, as we have before remarked, that even then the colonies would not ere long have claimed the rights of an independent government. The time would, in any event, have arrived when America would claim her rank among the nations as free and independent. It would be too much to expect, perhaps, that this could ever be effected without violence. A people possessed of the energies and resources of the American colonies, and whose hearts glowed with the pure principles of liberty; whose rich and extensive country opened so vast a theatre for those principles to display themselves, — it cannot be supposed would always be content to remain a mere appendage to the crown of England. The English ministry foresaw this; and to secure permanent sovereignty became with them the momentous question. The mild and conciliatory measures proposed by that portion of the empire at the head of which stood the illustrious Earl of Chatham, were repudiated; and the bold, energetic and insulting projects of that portion at the head of which stood a North and a Bute prevailed. Great Britain derived a revenue from the colonies by regular trade; and the profits on her extensive manufac-

We have now arrived at the commencement of the year 1772; and this, like the previous year, is not distinguished by any very important events; but still discussion is going on, and a spirit of determination is evinced on every hand showing that the country has reached a period of deep and absorbing interest. It was felt to be so in the County of Barnstable. Difficulties between the colonies and the parent country were thickening; serious troubles were apprehended; and town meetings were held to take into consideration the alarming condition of public affairs.¹ A plan for ascertaining the strength of each town "on the side of liberty," by regular corresponding committees, was adopted by the General Court.

In 1773, the state of public affairs began to wear an increasingly threatening and alarming aspect. Associations of "the sons of liberty" continued to be organized in all directions; for England, it was believed, was imposing upon the colonies burdens no longer to be endured — endeavoring to deprive the people of rights not to be relinquished. The Cape

tures, and the regular duties drawn from commerce, should have satisfied her. Gov. Bernard, in 1764, had faithfully presented to Great Britain her true policy in this matter; but without avail.

¹ The burning of the *Gaspee* near Providence greatly enraged the British ministry. The *Gaspee* was a revenue vessel, the lieutenant in command of which had made himself very obnoxious to the people by his overbearing zeal in the execution of his trust. The lieutenant, in giving chase to a packet that had refused to lower its colors to his orders, ran his vessel aground; she was boarded the night by some fishermen and burned. All efforts to discover the perpetrators were ineffectual. Although £500 reward was offered for this purpose, the people were banded together by the principle of resistance to tyranny, and no clew to the perpetrators could be obtained.

towns were now, as always, on hand, asserting the rights and liberties which they believed were guaranteed by charters and constitutions. Meetings were called in all of them, to deliberate and to act.¹

Just before the destruction of the tea in Boston harbor, the last of the tea-ships, Capt. Loring, was cast ashore "on the back of the Cape." Much of the cargo was lost; enough, however, was saved to transfer the war upon teas to this county, and the patriotic were determined "to resist the sale and use of the article, if needs be, in blood up to their knees."

We should have mentioned in connection with the

¹ The decree of Parliament in favor of the East India Tea Co. of London, enabling them to export their teas to America subject to what the colonies believed to be an unconstitutional tax or tribute, was peculiarly offensive, and the determination was very general to resist it. The consignees were regarded as having by their acceptance forfeited all right to protection—objects of indignation and resentment. The course pursued by Great Britain was pronounced "an affront to the common sense of mankind and to THE MAJESTY OF THE PEOPLE who are, under God, the source from which is of right derived all power and majesty." It was alleged, "Parliament has for years passed acts in derogation of English liberty. Undertaking to regulate the internal policy of the colonies without conceding the right of the colonies to be represented, it has imposed heavy duties on articles of consumption imported into the colonies, and has levied taxes that are oppressive and not to be endured." The people of New York and Philadelphia sent back to England the tea-ships that had arrived in those cities; but the people of Boston were under a species of duress, and failed in the attempt to carry the same measure. Determined, notwithstanding, to defeat the act, at whatever hazard, about 20 persons in disguise went on board the craft freighted with teas and broke open and threw into the dock 342 chests of the "abhorred article" now termed "the fetters and chains of liberty." This cool and deliberate act of defiance to government tended, as it was foreseen it would, to a crisis that was not to be hazarded without a firm resolve never to retreat from the ground taken. The sensation produced by the event in England was immense.

events of the preceding year that a devastating fire occurred in June, in the woods of Sandwich, spreading on every side and destroying a large amount of property. A report of Mr. Isaac Lothrop, Thos. Gilbert, Esq., and Mr. Benj. Freeman, the committee appointed by the General Court to go to Sandwich, view the premises and present to the legislature the true state of the sufferers, was this year made and acted on.— The Eel River bridge needing to be rebuilt, was again the subject of remonstrance and contention. The several towns in the county, by their agent, Edward Bacon, Esq., petitioned for exemption from obligation to build the bridge, but their request was denied.

In 1774, Hutchinson being removed from office in consequence of unpopularity incident upon the exposure of letters that had been written by him to leading men in Great Britain in 1767 and 1768, which letters, it was believed, had tended greatly to increase the prejudice of Parliament against the colonies, Gen. THOMAS GAGE, commander-in-chief of his majesty's forces in America, was appointed, by GEORGE III., to succeed him.¹ He arrived in Boston, May 13, and Hutchinson sailed for England the next month.

¹ Gov. HUTCHINSON was descended from the famous Ann Hutchinson whose peculiar views and influence excited so much opposition among the religious world in New England. For 10 years he was a representative, and 3 years was speaker of the House. In 1752 he was a judge of probate; a member of the Council from 1749 to 1766; chief justice in 1760; and lieutenant-gov. from 1758 to 1771; thus holding at one time the offices of councillor, judge of probate, chief justice, and lieutenant-gov. Andrew Oliver, the distributor of stamps, was his brother-in-law, and thus Mr. H. became identified with that obnoxious procedure, and his house was sacked by the infuriated mob. Unhappily his whole administration as gov. was involved in constant dis-

In order to punish the people of Boston, and compel them to restore the value of the teas they had destroyed, Parliament had in March passed a bill interdicting all commercial intercourse with that port, and prohibiting the landing or shipping of any goods there.¹ Provision was also made for transporting to Great Britain for trial, all offenders, the charge to be paid out of the customs. GAGE being regarded by the people as a fit instrument for executing the designs of a tyrannical ministry and Parliament, and being armed with authority to seize any and all persons who might be accused of high treason, or of what might be regarded by enemies as constructively high treason, consternation prevailed on every hand; especially as shortly after the arrival of Gage two additional regiments with artillery and military stores followed — thus, as was naturally supposed, indicating the inexorable resolve of the British government to reduce the colonies to submission by force and arms. The effect of the Boston port bill was, of course, to deprive at once a large portion of the inhabitants of the means of subsistence. The only way in which their sufferings could be relieved, was by contributions from other

putes with the Assembly and Council. The exposure of his letters confidentially written to England operated much to his injury. The tea affair served still further to involve him in trouble. He died in England, June 3, 1780, æ. 69. Gov. Hutchinson is now acknowledged to have been a man of excellent character, of unwearied industry, and highly respectable talents. Whatever political views he entertained he was candid and manly in avowing.

¹ Boston was looked upon in England as the chief seat of rebellion, and was therefore selected to the honorable position of an object of especial vengeance. The public offices were ordered to be removed to Salem; and every movement seemed to betoken preparation for some grand event.

towns. These were promptly made; nor did the CAPE towns fail to extend their patriotic aid.¹ The vindictive measures of Parliament served, in fact, to unite more firmly the people every where in resistance to Great Britain.² The remark of Col. Barre in Parliament, when these odious and insulting measures were being adopted, "You are offering the last of human outrages to the American people: they are too much like yourselves to be *driven*," was now being strikingly verified. The people began to feel that a reconcilia-

¹ The donations to Boston during the siege were, in part at least, Barnstable, £12 10 8; Wellfleet, £7 10 8; Eastham, £10 and 50 bush. of corn; Falmouth, £30 18 and 51½ cords of wood, at one time — 30½ cords of wood at another time, and £5 15 8; Truro, £11 16; Sandwich, £19; Mashpee, 18s.; Yarmouth, S. parish, £7 4 8, West, £5 6 8; and Eastham, N. parish, £7 16.

² Capt. ISAAC SEARS, afterwards known as "Col. Sears," descended from the Yarmouth family, again stood forth in New York as the champion for liberty, (as he had done on the occasion of resistance to the stamp act,) now in support of Boston. The tories had made so formidable opposition that in the appointing of a committee of 50 in reference to the Boston port bill, the com. was found to be equally balanced, the number of tories on the com. being equal to the whigs. It became important, therefore, to add two more to the com. to secure a majority on the side of liberty. So nicely balanced in some places were the opposing parties and so critical had become the fate of America. Again, when Gage, after the patriots of Boston had fled to the country with such effects as they could command and conveniently remove, had sent to New York to secure in a private manner all such articles as might be used in camp and had succeeded to some extent, this same Capt. Sears who had before triumphed over the tories and obtained a representation to Congress, discovered the designs of Gage and gave the alarm preventing further sales, — urging that America would need all such articles for her own service. Much, at this time, was depending on the vigilant patriotism of a few active leaders. The destinies of the country were suspended oftentimes as it were by a thread, which thread if broken might prostrate the cause of liberty without recovery and drench the land in blood.

tion was neither to be expected nor hoped for, but that they must be ready to defend their rights by an appeal to force.

Measures were now taken every where to prepare for the contest. A committee of correspondence, consisting of distinguished men in the province, set forth an agreement, called "A SOLEMN LEAGUE AND COVENANT," copies of which were sent in all directions and were numerously signed. The subscribers to this league determined to suspend *all* intercourse with Great Britain, until their rights should be restored.

By the General Court of Massachusetts it was resolved that a Congress of the colonies was necessary.¹ They also enrolled a body of men to be prepared for any emergency, "to march at a minute's notice," who were therefore called "minute men." Five general officers were appointed to command them. Committees of safety were appointed generally by the towns to act in conjunction with the central committee; and measures were taken to collect military stores to be deposited at Concord and Worcester.

The plan for assembling a Continental Congress was proposed, and speedily adopted by all the colonies Georgia alone excepted.² This Congress published a declaration of rights; agreed to suspend commercial intercourse with Great Britain; and drew up addresses to the king, to the people of Great Britain, and to the

¹ The troubles that perplexed the early settlements of the colonies had led the people of each to feel their mutual dependence, and to cultivate that intercourse and union so necessary for mutual defence. Troubles now again bring them into sympathetic contact. Thus is being laid the foundation of a national government, to stand forth the perfection of successive ages, the admiration of the world.

² This body at first consisted of 55 members, embracing generally men of eminent character and distinguished abilities.

colonies.¹ This Congress also in view of any possible attempt to carry into execution the late acts of Parliament resolved that "every person who shall accept or act under any commission or authority derived from the act of Parliament, changing the form of government and violating the charter, ought to be held in detestation." What a grand moral spectacle is here presented! How unequal the approaching and inevitable contest! On the one hand, we see the first maritime power in the world; possessed of immense wealth, of vast resources, well-disciplined armies, and experienced and able military and naval commanders. On the other hand, are infant colonies possessing none of these advantages; with no general government to control the conflicting interests of the several parts; entirely destitute of experienced officers, disciplined troops, arms and munitions of war, armed ships, and even of revenue.² It is not strange that their resolution, if needs be to engage, nevertheless, in the unequal conflict, was regarded in England generally with contempt and derision;³ nor that some among them-

¹ These able state papers were highly commended by Lord Chat-ham in the British Parliament.

² Their want of these essentials, but especially of money, embarrassed all their operations during the whole continuance of the war.

³ The Br. ministry confidently believed, that their opponents could, and would, be easily and speedily crushed. In "A friendly Address to *All Reasonable Americans*, on the subject of our political confusions, in which the *necessary consequences* of violently opposing the king's troops and of a general non-importation are fairly stated," (such is the title,) published anonymously in 1774; (which work Gen. Lee deemed worthy of a counter-pamphlet of "Strictures," regarding the former pamphlet as "designed to dissolve the spirit of union, and check the noble ardor prevailing through the continent;") the writer says, "All who have the courage now to declare themselves friends to the govt., will undoubtedly think themselves bound in honor,

selves, unhappily, shrunk back as if from a precipice beyond which there was no redemption. Perhaps the thing most strange now appears, that any of their brethren and fellow-citizens should have evinced, under

interest, and conscience, to resort to the king's standard; and many thousands of others, and indeed the greater part of those who shall not have rendered their cases desperate, — when they see the danger thus nearly approaching, and the storm ready to burst, — will be glad to fly for shelter to the royal standard, and be zealous to *signalize* themselves in the king's service; in order to render unquestionable that loyalty which was formerly suspicious. It is morally certain that, in the day of trial, a large majority of the Americans will heartily unite with the king's troops in reducing *America* to order. Our violent *republicans* will then find themselves deserted by thousands and thousands in whom they now confide; and *inexpressibly* DREADFUL must be their disappointment! O that they were *wise*, that they understood this, that they would *consider* their LATTER END! I shall say no more on the supposed case of our waging WAR AGAINST THE KING, and entering into a STATE OF REBELLION; the thoughts of which all sober men, and all conscientious men, and all who prefer the good of their country to the gratification of their own obstinate humors, must reject with horror. But another scheme is proposed: a *general non-importation agreement* in order to get rid of a duty of *three pence a pound on tea*! The remedy is ten thousand times worse than the disease. It is like cutting off the arm to get rid of a small sore on one of the fingers. In the Province of Mass. Bay, there is a large number of populous seaport towns which have no other support than their fishery; many of them, with families, that know of no other means of subsistence than the cod fishery. Now, when all these fishermen are turned ashore, and their vessels become useless, . . . &c. &c. Should Congress support the madmen of *New England*, in their scheme of an *Independent Republic*, I affirm that the *original contract* between them and the *most respectable* part of their constituents will be *dissolved*; that we shall be at full liberty to consult our own safety in the manner we shall think most conducive to that end; and that we shall owe them no greater respect and obedience than they themselves pay to the British Parliament. The foregoing considerations are addressed — not to those obstinate, hot-headed zealots who are at the bottom of all our confusions; for arguments would be as much wasted

all the circumstances of constant aggression on the part of England and in full view of the sacrifices which the patriotic were willing to encounter for liberty, a friendship still towards British rule and a hostility towards the noble-hearted and self-sacrificing defenders of their country's rights!

We are not disposed, however, to be unjustly censorious; and cordially adopt the remark once made to us by a patriot of the revolution who was active in directing the affairs of these troublous times in this county — that “much is to be pardoned to the religious scruples of some who were truly good men and regarded disloyalty to the king as an offence against Heaven; and somewhat, to the diversity of sentiment which is inseparable from human nature.”¹

upon them as upon men that are intoxicated with liquor — but to all *reasonable* Americans — to those who are still in the exercise of their understandings. . . . O my infatuated countrymen! my deluded fellow-subjects and fellow-Christians! open your eyes, I entreat you; awake from your dreams, and regard your safety!”

¹ If some in America were inimical to the cause of liberty, and sympathized with a corrupt and despotic ministry, still it is grateful to record the fact that even in Britain were some of opposite views to them, and who stood boldly forth in defence of American rights. Lord CAMDEN is represented as exclaiming in the House of Lords, “This I will say, not only as a statesman, politician, and philosopher, but as a common lawyer, — my lords, you *have no right* to tax America. I have searched the matter. I repeat it: you have no *right* to tax America. The natural rights of man and the immutable laws of nature are with that people. Kings, Lords, and Commons may become tyrants as well as others: it is as lawful to resist the tyranny of many as of one. Were I an American, I would resist to the last drop of my blood.” When Mr. Selden was asked, “In what law book do you find a law for resisting tyranny?” he replied, “It has always been the custom of England; and, my lords, the *custom* of England is the *law* of the land.”

Lord CHATHAM's eloquent defence of America is familiar to

Whilst such was the posture of affairs, a plan which had been previously concerted with much care after consultation among the leading men of the day, and which was as important as it was bold and daring, was put in execution in this county. As it forms a material item in our revolutionary struggle, and has not been incorporated in the histories heretofore written of those times, we shall make it the subject of a distinct chapter and be somewhat minute in detail, relying implicitly on authentic documents.¹ That the reasons for this

every one. No greater orator, no abler statesman than he did England ever have. In the younger PITT and others were also found the fast friends of America.

¹ We may here, however, first present in substance, and chiefly in his own words, the relation of the transaction, as furnished by Hon. ABRAHAM HOLMES of Rochester, whose high character and prominence as a public man and able counsellor is well known. Mr. Holmes penned his account of the proceedings, towards the close of his honorable life, in 1834, when he had become an aged man, and was almost the only survivor of those who took part in the transactions recorded.

Mr. Holmes well remarks that "great and important events should be kept in memory, and transmitted to children's children to the latest posterity. It is true," he says, "posterity cannot feel the same sensations in contemplating the events of the revolution as those who lived in the day of them and participated in the efforts, the toils, and the dangers of the enterprise: yet by the recital of these they may form some idea of the exertions, the toils, the dangers, and successes of their progenitors in obtaining the high and dignified position which we occupy among the nations." He continues, "I was led to these reflections by a review particularly of an event that occurred in the September of 1774; — an event probably now forgotten or perhaps never known to but very few of those whose lives have been lengthened out to the present time. It was the *first overt act*, done in the face of day, without disguise, in the controversy with Great Britain that according to British jurisprudence would be called TREASON."

We must interrupt for one moment this narrative by Mr. Holmes, to say that *we* do not assert that this was the "first" instance of the kind. On the contrary, although Mr. H. asserts it, without doubt

movement were weighty and the determinative position of the people was, in view of the patriotic sentiment, well taken, is corroborated by the action, the following month, of the Congress assembled at Phila-

from the impression strong upon his mind, it would seem that proceedings somewhat similar were had at least in Great Barrington and Springfield just previous. The time intervening between those occurrences and that at Barnstable, was, however, so short, that, with the facilities then at command for the diffusion of intelligence, it is altogether improbable that the news of either demonstration could have reached the Cape prior to its proceedings, much less previous to the arrangements for this campaign; and the presumption unavoidably is, that, as Mr. H. suggests, the "plan previously concerted with much care," was but the carrying out of measures which had been well understood "among leading men of the day," and which were to be general wherever they could be effected. Indeed, we might prove conclusively that the action of the people in this county was the result of active correspondence by which a plan whose ramifications were extensive had been devised to take effect as soon as it should be known the regulating act of Parliament had received the royal approval,—since suffering the courts to sit would have seemed a recognition of that act. Mr. H. continues:—

"The British Parliament, in its mad career, had assumed a right to mutilate the charter of Massachusetts, which was a solemn *contract* between the KING on the one part, and the PROVINCE on the other. Parliament was not a party to it; nor was it made under any authority from them, or with any reference to them; and with it they had no more right to interfere than had the Bonzes of Japan: but this authority Parliament *assumed*, and by an Act had taken from the House of Representatives the right to choose the Council—a right granted the province by its charter; and had authorized the king to appoint the Council by *mandamus*, and directed the *sheriffs* of the several counties to appoint the jurors instead of their being drawn as was provided by law, from the jury box, by the selectmen.

"This gave universal alarm, and involved the great body of the people in the most perplexing agitation. They were not insensible of the dangers attending opposition, and yet could not for a moment endure the idea of submitting to so notorious a violation of their rights. After viewing the matter in all its aspects, they agreed that nothing

delphia — setting forth that as our ancestors at the time of their emigration to America were possessed of all rights, liberties, and immunities of freeborn Englishmen, and never lost those rights, so their descend-

that might follow could be so bad as tame submission ; and determined, therefore, to apply a remedy. And as the Court of Common Pleas was to be holden in Barnstable on the first Tuesday in September, it was resolved to begin first with that court, and prevent its sitting for the transaction of any business whatever.

“Accordingly a considerable body of men from Middleboro’, more from Rochester, and many from Wareham, repaired to Sandwich on the Monday preceding the time for the opening of the court, and were there joined by a large part of the population of that town. The later part of the day, and the evening, were spent in organizing the body and establishing rules and regulations. Dr. NATHANIEL FREEMAN of Sandwich was unanimously chosen the conductor-in-chief of the enterprise, and officers of lower grade were appointed. FREEMAN, afterwards a brigadier general, was a fine figure of a man, between thirty and forty years of age. He had a well-made face, a florid countenance, a bright and dignified eye, a clear and majestic voice ; and wore a handsome black lapelled coat, a tied wig as white as snow, a set-up hat with the point a little to the right ; in short, had the very appearance of *fortitude personified*.

“On Tuesday morning, the body marched to Barnstable, and were there joined by a considerable portion of the population of that town ; making in the whole, as was estimated, about 1500. They took possession of the grounds in front of the court house, in a condensed solid body ; and the conductor took his stand on the steps of the court house door.

“Commissioners were then appointed to ferret out the disaffected among the people, and bring them to a renouncement, in writing, of their *toryism* ; and it was ordered that if any should refuse they be brought before the body of the people assembled. The result was, all signed ‘recantations,’ though some did it very reluctantly. These recantations were afterwards pretty well imitated by Trumbull in his *McFingal* : —

‘I now renounce the Pope, the Turk,
The King, the Devil, and all his work ;
And, if you will set me at ease,
Turn Whig or Christian — what you please.’

ants, the people of these colonies, are by the immutable laws of nature, the principles of the English constitution, and the several colonial charters or compacts, entitled to the same—including the common

“At length the court made its appearance led on by the high sheriff with a broad cockade on his hat, a long white staff in his left hand and a drawn sword in his right; and the court, (OTIS, WINSLOW, and BACON,) as the body did not give way, halted about an arm’s length from the compact assemblage.

“Col. OTIS, the chief justice, a very venerable-looking old gentleman, then addressing the people, inquired, ‘Gentlemen, what is the purpose for which this vast assemblage is collected here?’ and was answered by Dr. Freeman, standing on the steps of the court house, in a loud and clear voice, (for he was at some distance from where the court stood,) — ‘May it please your honor, oppressed by a view of the dangers with which we are surrounded, and terrified by the horribly black cloud which is suspended over our heads and ready to burst upon us, — our safety, all that is dear to us, and the welfare of unborn millions, have directed this movement to *prevent the court from being opened or doing any business*. We have taken all the consequences into consideration; we have weighed them well, and have formed this RESOLUTION which we *shall not rescind*.’ The chief justice, then, calmly but firmly replied, ‘This is a *legal* and a *constitutional* court: it has suffered no mutations; the juries have been drawn from the boxes as the law directs; and why would you interrupt its proceedings? — why do you make a leap before you get to the hedge?’ Dr. Freeman responded, ‘*All this* has been considered. We do not appear here out of any disrespect to this honorable court; nor do we apprehend that if you proceed to business, you will do any thing that we could censure. But, sir, from all the *decisions* of this court, of more than forty shillings amount, an *appeal* lies; an appeal to what? — to a court holding office during the king’s pleasure; a court over which we have no control or influence; a court paid out of the revenue that is *extorted* from us by the *illegal* and *unconstitutional* edict of foreign despotism; and *there* the jury will be appointed by the *sheriff*. For *this reason*, we have adopted this method of stopping the avenue through which business may otherwise pass to that tribunal, — well knowing that if they have no business, they can do us no harm.’ The chief justice then said, ‘As is my duty, I now, in his

law of England and the right of trial by jury, and that by peers of the vicinage. The movement was, moreover, but carrying out the deliberate sense of right and

majesty's name, *order you immediately to disperse* and give the court the opportunity to perform the business of the county.' Dr. Freeman replied, 'We thank your honor for having done YOUR duty; WE SHALL CONTINUE TO PERFORM OURS.' The court then turned and repaired to the house where they had put up.

"A committee was then chosen, of which Dr. Freeman was the chairman, to wait on the chief justice, in the name of the assemblage, and request him to attend at Boston at the time appointed by the governor for the meeting of a new General Court; and then and there to demand his seat at the Council Board, the chief justice being one of those chosen that year agreeably with the provision of the charter. The chief justice answered, in writing; he thanked them for putting him in mind of his duty; said he had considered the subject, and had concluded to attend and demand his seat, although he did not expect the demand would be successful. The governor, as is known, issued, for some reason, before the time of meeting, another proclamation *forbidding* the members of the General Court to meet. I thought then, and I still continue of the same mind, that I never had seen, nor have I since seen, any man whatever that felt quite so cleverly and happy as did Dr. Freeman during the whole of this business; and I think no man was ever better qualified to preside on such an occasion. Dr. Freeman, after the conclusion of the business thus far, resigned his post; and, at his recommendation, Major Otis, the clerk of the court, and son of the chief justice, was appointed his successor. The rest of the day was occupied in receiving the recantations of the disaffected, and in raising a *liberty pole*. The next day the assemblage from the towns above, returned to Sandwich, where they found that the disaffected had committed some outrages. The liberty pole in Sandwich had been cut down, and other offensive acts perpetrated; which things caused some little trouble. The perpetrators were soon arrested and brought *coram nobis*; who, after receiving a severe reprimand and paying the just value of the liberty pole, signing recantations, &c., were liberated. This was the FIRST ACT OF THE KIND; and, I believe, there was never a Court of Common Pleas held under the king's authority after this time, in the Province; except in the town of Boston, where Gov. Gage, with his troops, had it in his power to control."

inflexible determination expressed by protests, petitions and resolves by the people on the Cape in public assemblages in previous months.

We have already entered our *caveat* against the supposition that it is *our* intention to *assert* that the above was the "first act of the kind;" though our conviction is strong not only that Mr. H. believed it was, but that at the time when the proceedings were had, the *actors* themselves *supposed* it the *first*.

"The retrospection of these olden times," continues Mr. Holmes, the distinguished and venerable man who furnished the preceding account, "resuscitates all the feelings, sensations, and animations of 1774; such as *none can* feel, in the same degree, who did not live at the time, and participate in the fears and hopes, toils and dangers of those times. The contemplation of those events gives me a satisfaction unknown to the miser in counting his hoards; the agriculturist, when his corn and oil and wine increaseth; or the merchant, when his ships return laden with the riches of the East. Population, like the human body, is in a constant state of mutation. We never see the people twice in all respects the same. There *may* be some who took part in this adventure that still live, besides myself; but *I know of none*. There certainly is not one in the town of Rochester; and it is probable that a large majority of the population of the County of Barnstable never so much as heard of the transaction. Strange as it may appear, I am acquainted with gentlemen who can talk very intelligently of the history of England, and even of Greece and Rome, who know nothing, or little at best, of the history of our own country."

After this graphic and interesting account by the venerable and accomplished jurist who was himself an actor in the scenes which he portrays, given by recollection sixty years after the occurrence, we will turn to the authentic record of the proceedings, committed to the custody of the writer long years since by the "conductor-in-chief" of the occasion with the earnest injunction to permit no names of the disaffected to be published at any time "lest peradventure the fathers having eaten sour grapes the children's teeth should be set on edge." We will faithfully adhere to this injunction.

CHAPTER XX.

Proceedings of the Body of the People. — Gathering at Sandwich. — Resolves. — General Agreement. — Leader chosen. — March to Barnstable. — Respect shown to Col. Otis. — Assemble at the Court House. — Previous Proceedings reaffirmed by an increased Assemblage. — The Court not permitted to proceed to Business. — Liberty Pole. — Confessions and Recantations. — Demands made of the Court. — Committees of Vigilance. — Address to Hon. James Otis. — His Reply. — Resolutions adopted. — Resignation of Crown Officers. — Address to the Court, and Reply. — Subsequent Proceedings. — Tories are enraged, insolent, and revengeful. — Desperate Effort at Vindictiveness. — The Assassins secured. — Whigs indignant fly to avenge the Act. — Conciliatory Address. — Deference to the Laws. — Three thousand People accompany their late Leader to Barnstable. — The Assassins humbled, implore Forgiveness, and submit to the Will of the People.

“A TRUE record of the proceedings of a great number of the inhabitants of the counties of Barnstable, Plymouth, and Bristol, met and convened in the County of Barnstable at the term for holding the County Courts in September :

“First, the agreement of the people from the Counties of Plymouth and Bristol previous to arriving in Sandwich, viz. :

“Whereas the vicinity from the Counties of Bristol and Plymouth having met at Rochester, Sept. 26, 1774, thinking it necessary in support of the COMMON CAUSE to make an excursion into the County of Barnstable to propose some matters of importance to the honorable Justices of the Inferior Court of Common Pleas and Court of General Sessions of the Peace in that county :

“And whereas a strict adherence to virtue and religion is not only well pleasing in the sight of Almighty God and highly commendable before men, but hath a natural tendency to good order and to lead mankind in the paths of light and truth :

“Therefore, Resolved, That we will during the said excursion avoid all kinds of intemperance by strong liquor, and no otherwise frequent the taverns than for necessary entertainment and refreshment; that we will not swear profanely or abuse our superiors, equals, or inferiors by any ill or opprobrious language; that we will not invade the property of any or take of their goods or estate without their leave and consent; that we will offer violence to no persons or use any threatening words otherwise than such as shall be approved of and accounted necessary by our community for the accomplishing the errand we go upon; and that we will carefully observe an orderly, circumspect and civil behavior as well towards strangers and all others, as towards those of our own fellowship.

“Resolved, That Messrs. Aaron Barlow, Nathaniel Briggs, James Foster, Joseph Haskell 2d, John Doty, Judah Sears Jr., Stephen Wing, and John Pitcher be a committee to hear and determine all offences against morality, decency and good manners that shall be complained of during the time of our present enterprise, with power to call before them, examine, acquit, or punish according to the nature and circumstances of the offence.

“Resolved, That we will, during the time of our said enterprise, aid, protect and support our said committee in the full and free discharge of their duty and office, and use our most careful endeavors for the punishment of all offenders.

“Resolved, That no person shall unnecessarily absent himself from this community and fellowship, but shall duly attend at all public resorts, consultations, and debates; and any person presuming to absent himself at any such time or place without leave first had and obtained from some one of the standing committee shall be considered as an offender and be proceeded with accordingly.¹

“And, forasmuch as these our public transactions are of a public nature and, as we apprehend, laudable; and as we have no private interest to serve, or any thing in view but the good of our COUNTRY and its *common cause*;

“Therefore, Voted, That these resolves be read once every day at some convenient time and place during our transitory state and temporary fellowship—that so our righteousness may plead our cause and bear a public testimony that we are

¹ Such especial care was had to guard against any irregularities that otherwise might be incident to so general and promiscuous a gathering.

neither friends to mobs or riots, or any other wickedness or abomination.

"And lastly, we Resolve, That we will yield all due respect and obedience to those persons whom we shall choose and appoint for our officers and leaders during the time of this our intended journey to the County of Barnstable.¹

"Sandwich, September 26, 1774, in the evening, at the close of the day, the people already arrived from the Counties of Plymouth and Bristol, in this town, and their committee waited on the committee of correspondence for further consultation: after choosing Mr. Stephen Nye moderator, it was motioned and

"Voted, That a committee of the Body be chosen to take the aforesaid resolutions into consideration, as also the regulations necessary for the whole Body expected to be convened at Sandwich on the morning of the morrow, consisting of Wareham and Sandwich people.

"Accordingly, Messrs. Nathaniel Freeman, Joseph Haskell 3d, Stephen Nye, Aaron Barlow, John Pitcher, Noah Fearing, and Samuel Briggs were chosen for that purpose; who after consultation reported the following, viz.:

"Addition, to the General Agreement of the People of Sandwich: Sandwich, Sept. 26, 1774, the people from abroad being now arrived in Sandwich in the county of Barnstable, and being joined by a number of inhabitants of this county, — jointly taking into serious consideration the aforesaid resolves, and the important purposes of our present meeting, — do vote that we adopt the foregoing resolves and regulations in every respect, and that we will strictly observe and be governed by them accordingly, with the following addition, viz.:

"1. That being joined by the people from Wareham, we do further appoint from among them Messrs. Noah Fearing, John Gibbs, and Nathan Briggs; and from among the people of Sandwich, Messrs. Nathaniel Freeman, Simeon Wing, Stephen Nye, Zaccheus Burge, Seth Freeman, Eliakim Tobey, Joseph Nye 3d, and Micah Blackwell to be a committee in addition to those eight chosen at Rochester above mentioned,

¹ We are not to suppose that this whole plan had not been previously arranged by the master-spirits of the enterprise resident in this county. It were easy to show how and where and by whom the whole "was previously concocted with care and consultation."

to have joint and equal power and authority with them for the purposes mentioned in said resolves, and like them to be supported, aided, assisted and protected in the discharge of their duty and office.

“2. That the Body of the People march from hence to Barnstable in double file, at the beat of the drum, to-morrow morning at 6 o'clock; that two of the committee, to wit, MESSRS. Nathaniel Freeman and Stephen Nye, ride in front, the said Freeman to be Leader, Speaker, and Moderator till we arrive at or near the court house in Barnstable and have joined the body there to be convened; the said Stephen Nye, together with Messrs. Noah Fearing and Joseph Haskell 3d, who are to bring up the rear of the Horse, to be Adjutants to see that the ranks be properly adjusted and to place those who fall in by the way in the rear; that the rest of the committee march at proper intermediate distances to see that a proper regulation be observed; and that the Horse march first, and the Foot bring up the rear.

“3. That all further regulations be referred to the whole Body of the People when assembled at or near the Court House door in Barnstable.

“This report being made to the general committee, &c., it was unanimously adopted and agreed to be laid before the people the next morning for their acceptance, and for them to appoint, if they see fit, the committees, &c. whose names are inserted in the report. The meeting of the committee was then dissolved.

“Sandwich, Tuesday morning, September 27, 1774, the people being met and embodied together, they unanimously agreed to adopt the report of the committee and be governed by those resolutions, and then nominated and appointed their leader and committee as recommended in the report. — Having settled these matters, they accordingly marched to Barnstable.

“On the march, a halt was made at the widow Chipman's in Great Marshes; and, the Foot coming up, it was thought necessary that there should be two particular leaders for the Foot, to be in subordination to the

principal : accordingly Mr. Salathiel Bumpas was chosen first and Mr. Malachi Ellis second leader.

"It was then moved and voted, that as the Hon. Col. Otis is, and ever has been esteemed both by this body and by the province in general, a worthy friend and supporter of the rights of the people, we will, therefore, show him our respect and obeisance accordingly. The people then again proceeded on their march, and, passing the house of Col. Otis, that honorable gentleman standing in front of his house, the whole people raised their hats and greeted him as they passed.

"At about 10 o'clock, all arrived at the court house ; and there being joined by a large number of inhabitants from various parts of the county assembled before the court-house door, the foregoing regulations were read, and the assembled Body chose NATHANIEL FREEMAN, moderator.

"It was then put to vote, whether the Body assembled do adopt the foregoing regulations with the addition of an enlarged committee, and this was unanimously passed in the affirmative ; on which Messrs. Joseph Otis, George Lewis, James Davis, John Crocker Jr., Nathan Foster, Thomas Sturgis, Solomon Otis, John Grannis, Elisha Swift, Ebenezer Nye, David Taylor, John Chapman, Joshua Gray, Thomas Paine, Nathaniel Downs, and Doctor Davis were chosen to join the committee in power and authority, and to be protected and supported in the same manner.

"It was then voted, that Nathaniel Freeman be principal leader, moderator, and speaker, throughout the expedition.

"It was also voted, that the committee repair to a convenient place by themselves, and report the order of procedure.

“The committee being together, agreed to prefer an address to the justices of the court, desiring them not to sit, under our present circumstances ; and to satisfy the people that they would not accept of a commission under the new establishment, &c. A sub-committee was, therefore, chosen to draught said address, consisting of Messrs. Nathaniel Freeman, Stephen Nye, Thomas Paine, Joseph Haskell 3d., and John Chapman.

“In the mean time it was reported that the court were about to sit ; upon which Messrs. Stephen Nye, John Grannis, and John Doty were appointed a committee to wait on the justices and inform them that the Body of the People were about to present an address to them, and therefore desired that they would not proceed to open the court until said address was presented. The committee reported that they had waited on the honorable court with the message, and that the chief justice had told them that the justices were about dining, and therefore would not open the court at present. — The committee then resumed considering and draughting the address ; but before it was completed, it was reported that the bell was being rung for the court, and that the judges and justices were coming up — on which the chairman at once repaired to the Body and ordered them to draw up before the court-house door ; and then entering the court house took out the deputy sheriff who was ringing the bell. Very soon the justices appeared, when the chairman told them it was the desire of the Body of the People that they should withdraw until the address was ready ; and at the same time desired the people to maintain their ground. The whole Body were then appointed to keep the door whilst the aforesaid committee should finish their business. — The sub-committee having completed their duty, laid the draught of an address before

the general committee who approved of the same and reported it to the Body who unanimously

“Voted, That said address be immediately presented; and Messrs. Nathaniel Freeman, Stephen Nye, Daniel Crocker, Noah Fearing, and John Pitcher were appointed the committee of presentation, who attended to that service and reported that they had performed the duty and that the court had promised to take the address into consideration.

“The address was as follows:—

“To the Hon. Justices of his Majesty’s Inferior Court of Common Pleas and General Sessions of the Peace for the County of Barnstable:

“May it please your Honors: The inhabitants of this province being greatly alarmed at the late unconstitutional acts of the British Parliament, considering them calculated to establish tyranny and oppression instead of the once happy constitution of this province; in consequence of which many respectable counties¹ in the same have prevented the sitting of the Inferior Courts as well as the Superior—we judge, not from any apprehension that they were not constitutional, but from the supposition that there might be appeals from *them* to the Superior Court, the Chief Justice of which receiving his support from the crown independent of the grants of the people cannot fail to have an unhappy bias in favor of said unconstitutional act; and other of the superior judges having sworn to carry the said acts into execution; and judging that by proceeding upon appeals from a court friendly to the constitution and zealous for our country’s cause, to the said Superior Court, we might in this way, if in no other, open a

¹ This may seem to conflict with the before expressed opinion that the action of the people in other counties had not here transpired; but we think we have good reasons for adhering to that opinion. The reader will, of course, judge for himself; but the expression, “*many* respectable counties,” we opine, shows that the address was predicated upon the fact well known that the extended programme embraced such general action, and the firm belief that the coalition were every where faithful to the compact. We do not, however, consider the question as a matter of much importance. One thing, at least, is very evident,—that so intelligent a gentleman as Mr. Holmes, an actor in the scene, *supposed* that the movement here was the first of the kind.

door for the said justice and his assistants to execute their commission on the plan of the said oppressive acts;

“Wherefore, a great number of the inhabitants of the County of Barnstable being now convened, with many others of the counties of the Old Plymouth Colony, taking into serious consideration the necessity of using every precaution to prevent the operation of said acts; and believing the following one necessary,

“Do hereby request your Honors to desist from all business in said courts, and from holding any session thereof, until the mind of the Continental, or of a Provincial Congress, shall be obtained; and that your Honors will *assure* this Body that you will not in any manner ever assist in carrying said unconstitutional acts into execution — hold any commission in consequence of said acts and under the new establishment — or in any manner conform thereto — but that you will use your utmost endeavors to prevent the same from taking place.

(Signed,)	Nathaniel Freeman,	} A Committee chosen by the Body of the People, to present this Address to your Honors in their name.
	John Pitcher,	
	Stephen Nye,	
	Daniel Crocker,	
	Noah Fearing,	

“Whilst this address was being considered by the court, a committee was appointed to wait on Mr. A. B.¹ who had threatened to cut down the liberty pole, and to require of him a solemn recantation and promise

¹ The letters A. B., and so on, we employ not as *initials*, but use them alphabetically to designate different cases. Both the names and the initials of those suspected of toryism will be uniformly suppressed in this connection. — We may here remark, it is no disparagement of any *place* to allude to the fact, in a record of events, that any community was at the time of the commencement of our revolutionary trials divided into opposing political parties. It was so, more or less, in all parts of our extended country. The whigs were generally in the ascendant; but in some places the tories were numerous and influential. The operation of laws being suspended, there was, in effect, for the time being almost no legal government or legal tribunal very soon after the troubles commenced in right earnest. The committees of safety soon became the paramount tribunals. The public authorities — for such these committees became — required a full recantation by all who were *suspected* of disaffection at the revolutionary procedures. The offenders, as those who were supposed to favor the crown were

never thus to offend. The committee reported that they had applied to Mr. B., but that he denied the facts and refused to make any recantation or promise.

"A committee was then chosen, consisting of Messrs. N. Freeman, S. Nye, N. Fearing, J. Pitcher, and J. Haskell 3d, to apply to C. D. and E. F., Esqs., and acquaint them that they had rendered themselves odious by signing an address to the late Gov. Hutchinson upon his departure from the province; and let them know that as the people esteem said Hutchinson our greatest enemy, the people must treat them also as enemies, for signing said address, unless they make a recantation. The committee attended accordingly, and, after they had delivered their message, E. F., Esq., signed the following:—

"Whereas I, the subscriber, signed an address to the late Gov. Hutchinson upon his departure from this province, which hath given great offence to the public, I do now freely declare that I am very sorry I signed it; that I was sorry soon after I did it; and that if it was to do again I should refuse. And I do hereby ask forgiveness of the offended public, and do consent and desire that this paper may be published in the Boston newspapers. (Signed,) E. F.

Barnstable, Sept. 27, 1774.

Wit.: Nathaniel Freeman, John Pitcher.

"The committee reported that the other person called

considered, it cannot be denied, were subjected, in some instances, to great indignities. "Fear God and honor the king," was, no doubt, with some a holy axiom from which conscience could not be absolved; others, probably, were influenced by principle of a lower order, or by caprice, or sinister motives. It were, indeed, too much to assume that in all instances those called whigs were wholly under the influence of a high order of disinterested, patriotic, or Christian impulses. We make these remarks as general, and not with particular reference to any individual cases or localities. Much less do we mean them as expressive of our views of the existing state of things in this county at this early period. The proceedings of the Body of the People were certainly indicative of great determination, but conducted with becoming moderation.

upon, i. e., C. D., declined a recantation, promise, or apology.

"It was then Voted, That the confession of E. F., Esq. is satisfactory. Another call was then made on C. D., Esq., demanding his attendance before the Body of the People. The committee reported that C. D., Esq. was very busy draughting the answer of the court and could not, therefore, attend; but that he had signed the following confession which he prayed might satisfy the people, viz.:

"Whereas I, the subscriber, &c. [The same *verbatim* that was signed by E. F., Esq.] C. D.

Wit.: Joseph Bourne, Isaac Hinckley.

"The Body then proceeded to consider further the threat of A. B. to pull down the liberty pole; and chose a committee to bring him before the Body. He came, and confessed that he had offered to treat a man who threatened to pull it down—but that he was in jest only and had no thought of doing mischief and would never disturb the pole.

"At this juncture, information was received from the court that they were ready to give an answer to the address, and A. B. withdrew. The committee who presented the address waited upon the court, and received the following:—

"To 'Nathaniel Freeman, John Pitcher, Stephen Nye, and Noah Fearing, a committee,' as they say, 'chosen by the Body of the People to present an address this 27th day of Sept., A. D. 1774, to the Hon. Justices of His Majesty's Inferior Court of Common Pleas and General Sessions of the Peace:'

"Said address being presented to the justices of said county, or at least as many as are present, the said justices in answer thereto say, That they are as much concerned at the late unconstitutional acts of the British Parliament as the Body of the People are; but apprehend that the people embodying this day to hinder said court's sitting as usual, will not help the matter, especially as said court was about to sit in the same constitutional way as we have always done ever

since we have been a county ; and had said court been suffered to have been opened they would have proceeded in the same regular manner as usual. And as to appeals, should there be any, they will be to the next Superior Court of Judicature, &c. ; and they cannot possibly be tried until we have a constitutional one. And we are sorry that we are interrupted ; for unless we can proceed to open said courts and adjourn, we can be in no capacity to proceed when we hear the opinion of the General Congress, or of a Provincial Congress. And as to the assurance you request that we would not assist in carrying said unconstitutional acts into execution, you may be fully assured that there is not one of the justices that incline to act or hold any commission in consequence thereof, and shall do all that is in our power in a constitutional way to prevent said acts from taking place. Therefore, we the said justices express our utmost concern that the said courts of justice, in this or any other county, should be turned out of their ordinary or constitutional course by the people of this province until the minds of the Continental, or a Provincial Congress can be fully known ; as we can by no means apprehend that any ill consequence can attend the sitting of said courts until this month expires.

(Signed,)	Isaac Hinckley,	Thos. Smith,
	Nymphas Marston,	Ed. Bacon,
	David Thacher,	David Gorham,
	Daniel Davis,	Solo. Otis,
	Melatiah Bourne,	Kenelm Winslow,
	Shearjashub Bourne,	Jos. Otis.
	J. Otis,	

“The committee returned and reported the above answer to the people who unanimously ‘Voted, That the answer is not satisfactory ; and that it be returned to the justices again.’ A committee accordingly being chosen, returned to the justices with the answer—informing them that it was not satisfactory ; that the people insisted on a distinct assurance that they would not sit, and also an assurance that they would not take any commission under the new acts of Parliament or act in conformity thereto. The justices urged that their declaration in their written answer, together with what they said verbally, ought to be sufficient satisfaction. To this it was answered by the committee that

their saying they did not *incline* to accept of any commission in conformity to said acts, &c., was by no means sufficient, nor was a *verbal* declaration; for, they were sorry to say it, the people apprehend that there are some of the court who are not well-wishers to the public — having voted and acted against a Continental Congress, &c. The committee returning to the Body, reported accordingly; and a committee was immediately appointed to draw up a declaration for the justices to sign. A draught was at once reported, accepted, and a committee instructed to present it to the justices one by one, and desire them to sign it. It was, on presentation, signed by all present, as follows: —

“Whereas there have been of late several acts of the British Parliament passed tending to introduce an unjust and partial administration of justice; to change our free constitution into a state of slavery and oppression, and to introduce Popery in some parts of British America, &c.: Therefore, we the subscribers do engage and declare that we will not accept of any commission in consequence of, or in conformity to, said acts of Parliament, nor upon any unconstitutional regulations; and that if either of us is required to do any business in our offices in conformity to said acts or any way contrary to the charter of this province, we will refuse it although we may thereby lose our commissions. As witness our hands, at Barnstable, Sept. 27, 1774.

(Signed,)	James Otis,	Melatiah Bourne,
	Thomas Smith,	Edward Bacon,
	Joseph Otis,	Isaac Hinckley,
	Nymphas Marston,	Solo. Otis,
	Shearjashub Bourne,	Kenelm Winslow,
	David Thacher,	Richard Bourne.
	Daniel Davis,	

“The committee also reported to the Body that the court consented not to sit. The Body then Voted, That the conduct of the court is satisfactory.

“Further evidence appearing that A. B. *had* threatened to pull down the liberty pole in Barnstable, a com-

mittee was sent to him once more, with instructions to require him to sign the following recantation and promise, or in default thereof to bring him before the Body.

“Whereas I the subscriber have threatened to cut down the liberty pole in Barnstable, I do hereby declare my extreme sorrow for the threat, and I do promise that I will never cut down said pole, or be any way aiding, assisting, or consenting thereto; and I do ask pardon for saying as I did, both of my fellow-townsmen and of the people in general. As witness my hand, Sept. 27, 1774.

“The committee returned and reported that they had made diligent search, but that said A. B. could not be found.

“It was then Voted, To apply to Thomas Winslow and David Gorham, Esqs., to desire them to sign the declaration of the justices, to-morrow morning; also that Dr. Davis, Messrs. Job Crocker, Thomas Paine, Joshua Gray and Benjamin Freeman be a committee to wait upon the justices and deputy sheriffs in the lower part of the county and desire them all to sign similar declarations. It was also Voted, That a committee for every town be appointed to desire of the military officers that they will no longer hold commissions under the present captain-general who is appointed to reduce us to obedience to the late unconstitutional acts, and who has actually besieged the capital of this province with a fleet and army, and is making hostile preparations against us; or under any unconstitutional regulations.¹ This last committee was constituted as follows:—

Barnstable, Eben'r Jenkins, Geo. Lewis, Ely Phinney.
Sandwich, Nath'l Freeman, Lot Nye, Seth Freeman.

¹ Among those who resigned early, but whose names do not appear in the record, were Job Howland, deputy sheriff; Col. Sturgis Gorham, his commission in the regiment; Josiah Hamblen, capt.; Daniel

Falmouth, Moses Swift, John Grannis, Dan'l Butler, Jr.
 Yarmouth, Dan'l Taylor, Isaac Hamblen, Joseph Crowell.
 Harwich, Benj. Freeman, John Freeman, Lot Gray.
 Eastham, Job Crocker, Amos Knowles, Jr., Thos. Paine.
 Wellfleet, Samuel Smith, David Greenough.
 Truro, Dr. Samuel Adams, Jona. Collins.
 Chatham, Dea. Bassett, Richard Sears.

"It was then further Voted, That the last-named committee wait on the deputy sheriffs, &c., in their respective towns. The case of A. B. was then resumed, and it was Voted, That until A. B. aforesaid signs the declaration now in the hands of the committee, he shall be deemed by every member of this Body, an enemy to his country.

"It was then Voted, That this Body will address the Hon. James Otis, as one of the constitutional Council of the province, to-morrow morning, and desire him to attend the General Court at Salem on the 5th of October next.... Voted, That the chairman ask the town clerk of Barnstable, present, whether that town has discovered its attachment to the cause of the country, by choosing a representative more disposed to serve the country than the late one. The chairman called upon the clerk to reply, and was informed that they had elected Daniel Davis, Esq.; upon which the Body testified their approbation by giving three cheers. And then, being informed that the town of Yarmouth had left out their late member who also voted against the Congress, the Body testified its joy thereat in the same manner.—Then adjourned to six o'clock the next morning, to assemble at beat of drum.

"Wednesday, Sept. 28, 1774, the Body being again assembled, it was Voted, That Messrs. Nathaniel Freeman, Noah Fearing, and Joseph Haskell 3d, be a com-

Crocker, capt.; Ant. Thacher, lieutenant.; Joseph Blish, Jr., lieutenant.; Jacob Lovell, lieutenant.; Jethro Thacher, ensign, and Micah Hamblen, ensign.

mittee to wait on Thomas Winslow, David Gorham, and Chillingsworth Foster, Esqs., to desire them to sign the declaration of the justices. The committee attended accordingly, and reported that these several justices had signed the declaration agreeably to request. The same committee was instructed to wait upon the sheriff and desire him to sign the following declaration; to which the committee attended, and reported that the sheriff had complied, viz. :

“Whereas there have of late been passed several acts of the British Parliament tending to introduce an unjust and partial administration of justice in this province, and alter its free constitution to a state of slavery and oppression, and to establish or encourage Popery in some parts of British America: I, the subscriber, do therefore declare that I will not take a commission as High Sheriff, or any other commission, in consequence of or in conformity to said acts or any unconstitutional plan; that I will not in any way be aiding or assisting in executing said acts; and, further, that I have never received any new commission since the passing of said acts. As witness my hand, at Barnstable, Sept. 28, 1774.

(Signed,)

Nathaniel Stone.

“The Body then chose Messrs. Nathaniel Freeman, Stephen Nye, Joseph Haskell, 3d, Noah Fearing, and John Pitcher to draught an address to Col. Otis, agreeably to the vote of yesterday. The committee reported the following:—

“To the Hon. James Otis, Esq.

“May it please your Honor: The Body of the People assembled from the several counties of Barnstable, Plymouth, and Bristol, Sept. 28, 1774, at or near the court house in Barnstable, beg leave to address your Honor as one of his majesty’s constitutional Council of this province; and to assure you that we entertain a very high and grateful sense of that integrity and of those abilities which have long distinguished you, as in every important trust reposed in you by the public, so especially in the capacity we now consider you. And whereas his Excellency, the governor of this province, has issued writs

for election of a new House of Representatives to meet at Salem on the 5th of October next; and, notwithstanding, a number of councillors have been appointed by mandamus from his majesty in consequence of a late act of the British Parliament, presuming the representatives of this people yet determined to be free never will or ought to consent to do any business with them; and as we look upon the Council chosen last May by the Great and General Court, according to the charter, to be the only constitutional Council of the province: We do, therefore, pray your Honor that you will attend said Great and General Court, in said capacity, the next session; and that you will continue those endeavors to obtain a redress of the grievances so justly complained of by the people, which have long distinguished you as an able defender of our Constitution and Liberties.¹ And now, wishing your Honor the

¹ Col. James Otis to whom reference is here made is sometimes confounded with his son bearing the same name, James Otis, Jr., born in Barnstable, Feb. 5, 1725, grad. H. C. 1743, — the great champion and able advocate for liberty and the rights of man. Of the latter some more particular notice than we have yet given is here due. It is not enough simply to say of this distinguished son of Cape Cod that he was eminent as a patriot, lawyer, and statesman early in life; and that he warmly engaged in defence of the colonies when as yet a young man, his eloquence, the keenness of his wit, the force of his arguments, and the resources of his intellect giving him a most commanding influence. He was the first champion of American freedom against the arbitrary claims of Britain who dared to affix his name to a production boldly denying the claims and pretensions of the mother country. He was a member of Congress in 1765, in which year his "Rights of the Colonies Vindicated" was considered "a masterpiece of good writing and argument." It was republished in London. He was threatened with arrest, but was not dismayed by any menaces of those in power. For his severe strictures on the conduct of the commissioner of customs and others of the ministerial party, he was assaulted, Sept. 5, 1769, by one of the commissioners assisted by other ruffians, in a public room, and was left covered with blood. The wounds, though severe, were not mortal: but his usefulness was destroyed — his powerful mind was by the dastardly blows inflicted shaken from its throne. The great man in ruins lived to relinquish in an interval of reason the £2000 which Robinson, his cowardly assailant, had been adjudged to pay for the assault; but, May

support of Heaven in your advanced age, that you may much longer remain a blessing to this province, and enjoy the happiness of seeing those rights restored which have been injuriously wrested from us, we beg leave to subscribe ourselves,

Your Honor's most ob't humble serv'ts,

Nathaniel Freeman,	} A committee in behalf of the people assembled as above.
Stephen Nye,	
Joseph Haskell, 3d,	
Noah Fearing,	
John Pitcher.	

Barnstable, Sept. 20, 1774.

"The Body Voted, That said address be immediately offered by the said committee; and that the whole Body will walk in procession to see it presented to our country's great benefactor and friend. Accordingly the whole Body marched in procession, with the committee at the head, and attended by music, to the house of Daniel Davis, Esq., where they drew up in solid body, in rank and file, and the committee proceeded to read and present the address to his Honor, James Otis, Esq., who received the same very politely and returned the following answer:—

"Gentlemen: Your very complaisant address to me as a constitutional councillor of this province, desiring me to attend my duty at Salem on the 5th of October,—the time when the General Court is to meet,—I am obliged to you for; and for putting me in mind of my duty; and I am determined to attend at Salem at that time in case my health permits.

I am your very humble servant,

James Otis.

Barnstable, Sept. 28, 1774.

"This reply of Col. Otis, the whole body heard with their heads uncovered; and then gave three cheers in token of their satisfaction and high approbation of his

23, 1783, just before the independence to which he had greatly contributed was known to be acknowledged, he was struck by lightning and his noble soul liberated from its shattered tenement. "He left a character," says President Adams, "that will never die."

answer, as well as esteem and veneration for his person and character. This done, they returned in procession to the court house.

“The concluding proceedings in Barnstable were then as follows : —

“Voted, 1. That it is the resolution of this Body and of every individual composing it, *never to submit* to the late oppressive acts of Parliament ; but that we will oppose them, and defend the town of Boston and the country at the risk of our lives and fortunes.

2. That it be the resolution of every individual of this Body to provide himself with arms and ammunition for our defence.

3. That we will not import, or purchase imported, goods after this date.

4. That we will encourage donations for the town of Boston.

5. That this Body abhor, and will endeavor to suppress, mobs and riots.

6. That we will use our endeavors to suppress common pedlers.

7. That we will use our endeavors to promote committees of every town for a County Congress.

8. That if any person shall pull down or destroy the liberty pole in Barnstable, we will use our endeavors to bring such offender to justice.

“The Body then, before marching to Sandwich, sent forward twenty-two men to secure G. H., I. J., and K. L., accused of having pulled down the liberty pole in Sandwich.¹

¹ “It is due to the inhabitants of Barnstable to say that such was their urbanity, that few, if any of them, would receive any compensation for board, &c., of the numerous visitors.” Such is the testimony of Hon. Abraham Holmes, who was one of the Body of the People — testimony given in the closing days of his useful and honored life. We ought to add that although there appear to have been some dissentients who were not in sympathy with the popular movements of the day, Barnstable was by no means surcharged with this feeling. That town has been rather distinguished for its patriotic devotion to the cause of liberty.

"Having now set out on their march to Sandwich, the Body stopped at Mrs. Chipman's, where they found a pedler of English, Scotch, and India goods, and who had lately sold tea. They detained him, and decided that he should now, in presence of the company, destroy his tea; and that if he faithfully promised, in writing, that he would not sell any more tea, nor any more peddle or vend goods in old Plymouth Colony, the company would pay him the first cost of the tea. The pedler declared he had no tea; and it appearing that he had not, and he having signed the declaration required and promised to go back with his goods, the people were content.

"The Body being now assembled at Sandwich, first made choice of Joseph Otis, Esq., as moderator for the remaining part of the meeting, at the suggestion of the former moderator; and then gave audience to the party of twenty-two men, who had been sent on in advance from Barnstable to secure the persons who had, during the absence of the patriotic, cut down the liberty pole. The report was that they had made search for them, and they could not be found; but that men were still out in quest of them.

"It was then Voted, That the committee appointed to treat with the military officers and deputy sheriffs in Sandwich shall apply to Roland Cotton and Thomas Bourne, Esqs., and desire them to sign the declaration of the justices, at some convenient time. Also Voted, That Messrs. John Benson, Joshua Briggs, and John Burgess, Jr., be a committee to wait on Mr. M. N., and ask his attendance before this Body. Mr. N. attended, and was 'accused of saying he wished the town of Boston was burned; that he wished the people of Rochester in ——, [a bad place,] for their treatment

of Ruggles and Sprague; and of having d—d the people for coming here.' He confessed that he had said words to this effect in a *passion*, expressed sorrow, and asked forgiveness of all. This gave satisfaction.

"The Body then Voted, That we will at all hazards bring the aforementioned G. H., I. J., and K. L. to punishment. A committee was appointed to consider their offence and report what punishment or satisfaction they shall make or suffer. The committee reported that the offenders shall satisfy a committee of the people, for the damage sustained, and also sign the following:—

"Whereas the subscribers did most wickedly, maliciously, and injuriously, being instigated by the devil and our own evil hearts, destroy the liberty pole in Sandwich on the evening of Sept. 26th, current, whereby we have justly offended all the friends to Liberty, Justice, and Virtue, and have discovered our enmity to the Rights and Liberties of the People: We do, therefore, hereby confess the fact, and are heartily sorry for it, and do promise never to do so any more, nor again oppose the Cause of Liberty. And we do hereby ask forgiveness of the town of Sandwich and of all men—especially of those who erected the pole. As witness our hands this 28th day of Sept., 1774.

"It was further Voted, That if said offenders refuse, they shall whenever they are taken be liable to the indignation and resentment of every friend of liberty; and that the committee of Sandwich having informed this Body of their refusal, this Body will punish him or them whenever they meet said offenders, until satisfaction be made as provided.

"The remaining part of the company who went in search of the villains, having now returned with two of them, viz., I. J. and K. L., these, denying the facts, were then examined separately. One of them, I. J., acknowledged that he, with O. P., Q. R., and K. L., cut down the pole. The aforesaid Q. R. being the witness

that informed and exposed the transaction, was excused; K. L. was required to ask pardon of the whole company on his bended knees for threatening to stab the man who arrested him; and both K. L. and I. J. were fined by the committee appointed by the Body, the sum of £5 lawful money each, which they paid and then signed the confession.¹ The Body then appointed Messrs. N. Freeman, John Dillingham, Jr., and Lot Nye, to inform the aforesaid G. H. of the vote of the Body; they, in case of his refusal to comply, to inform the public — resolving that he should not escape the just resentment of the people.

“Mr. Paine of Eastham then informed the Body that the town of Eastham had left out their old representative, S. T., who voted against the Congress; and had chosen Mr. Holbrook, a friend to the country: upon which the whole assemblage testified their joy by giving three cheers.² Three cheers were also given

¹ A writer, in communicating an account of the transaction to a Boston journal, Nov. 10, says the confession was signed by *three*, and was duly witnessed by Joseph Otis, Nathaniel Freeman, and Samuel Freeman, Sept. 28; and the new pole was erected, the culprits besides paying £5 each, assisting in replacing the pole. The writer aforesaid commences, “Nov. 10, 1774. Mr. Printer: As a warning to other villains to avoid the like practices, please publish the following,” &c.

² That this town, proverbially patriotic, was not perfectly united in political views, may be inferred from the following letter characteristic of the times, written the following year: —

“Eastham, Aug. 15, 1775.

“To Col. Nathaniel Freeman, member of the General Court.

“Sir: I am always desirous of saying or writing something to such patriots as yourself, that would be worth hearing and reading. I have sometimes thought that possibly I might have to tell you this: ‘The tories in Eastham are all dead’ — for I heard several of them say, ‘I don’t believe there is a tory in Eastham.’ But after listening

upon the reading of news just received from the Congress, viz., that they had resolved to support Boston with life and fortune, had approved of the resolves of the county committees, and had recommended a continuation of donations to Boston. The Body Voted, We will observe and conform to said resolves of Congress.

"It was then Voted, That the thanks of this Body be presented to Dr. Nathaniel Freeman for his services. This was testified by three cheers.

"Voted, That thanks be given to Maj. Otis for his good services. This also was testified by three cheers.

"Voted, That thanks be given to the people from the Counties of Plymouth and Bristol for their patriotic aid. This was testified by three cheers. Three times three hearty cheers were then given for the success of the enterprise and day; upon which the meeting was DISSOLVED."

The following "memo." is affixed:—

"Thursday, September 29, 1775, the committee arrested G. H. and acquainted him with the vote of the Body. He paid the money, and signed the confession. Monday, October 3, 1774, Col. Cotton and Thomas Bourne, Esqs., signed the declaration of the justices, at the instance of the committee. Maj. U. V. refused to resign his military commission. Capt. Elisha Bourne, Capt. Silas Bourne, Lieut. John Smith, Lieut. Micah Blackwell, and Ensign Cornelius Tobey, signed the following declaration, at the instance of the committee, viz.:—

and making the most strict inquiry, I cannot find that more than *one* has made his exit; and I am not quite certain but *he* will rise again. I have mentioned some things in a letter to Col. Otis, a letter which I hope he will let you see. . . .

(Signed,)

THOMAS PAINE."

"Whereas application has this day been made to us, military officers of the companies of militia in Sandwich, by certain gentlemen said to be appointed by the Body of the People, to apply to us to resign our military commissions: We hereby promise and engage that we will, by the first opportunity, transmit our resignation of our respective commissions to the chief colonel of the regiment, to be by him transmitted to the captain general; and that we will not by any ways or means assist in carrying into execution the late acts of Parliament; and that we will not accept of any commission in consequence of or in conformity to said acts, or under any unconstitutional regulations. As witness our hands.

(Signed,)	John Smith,	Cornelius Tobey,
	Elisha Bourne,	Micah Blackwell.

Oct. 3, 1774. Silas Bourne,

"The same day, Deputy Sheriff Edward Bourne signed a declaration similar to that signed by the high sheriff and other deputy sheriffs. October 15, 1774, Major U. V. was called upon by a large assemblage of people, and obliged to go to the liberty pole and sign the declaration. — Also the same day, W. X. was compelled to sign a confession, under the liberty pole, with his hat off, for selling tea, and to promise that he would do so no more."¹

¹ The "Record of Proceedings of the Body of the People" is here closed. The document is in our possession, and we have endeavored to use it truthfully and impartially — omitting nothing save in some instances abbreviating, and substituting letters alphabetically for names. — May we be permitted to say, the proceedings of the whigs of Barnstable County, however they may be viewed at the present day by those who commiserate with the tories of that time, were dictated by humane and tender consideration in comparison with what has been related of subsequent acts in other counties, and especially with the proceedings of tories themselves in some of the provinces, and even in this county. In this county, according to Dr. James Thacher, who was a native of Barnstable and a surgeon in the revolution, the tories availed themselves of severe discipline. For instance, — a certain person and his sons having "rendered themselves odious to the people by their active

The action of "the Body of the People," being deeply felt by numbers of the disaffected, was shortly after resented upon the "conductor-in-chief" in a way that came near terminating his life. Whether the intent was absolutely murderous we do not feel called upon either to affirm or deny. We relate the circumstances as gathered from publications of the day, the records of court, and a faithful "narrative" drawn up by Judge Thomas of Plymouth, as also confirmed by minutes in the handwriting of the person on whom the alleged assassination was attempted; together with the confession subsequently made by "the assassins" themselves, which confession was drawn up, for their signatures to be affixed, by Gen. Goodwin of Plymouth, October 10, 1774. The occurrence was a few days after the meeting of the Body of the People at Barnstable, and was commenced to avenge those proceedings.¹

zeal in the royal cause and a vindictive temper towards the whig party;" a certain "widow woman" (in the profusion of her patriotic zeal—for women were generally patriots; they have always been distinguished by their steadfastness for the right,—

"Last at the cross,

And earliest at the grave,")—

"frequently indulged herself in applying to them the epithet *tory*, and even intimated a liberty pole exhibition. This indiscretion was not to be passed with impunity: a number of men, (?) in disguise entered her chamber in the night, took her from her bed, and after the application of tar and feathers, she was, by a rope fastened around her body, hoisted almost to the top of the pole which had been erected by the whigs. Her dreadful shrieks soon collected a throng of people; but the poor woman could obtain no other redress than that bestowed by her friends who kindly shaved her head and cleansed it of tar and feathers." — *History of Plymouth*.

¹ We may here say, Dr. Thacher, in his "Military Journal of the Revolutionary War," refers to the proceedings of this Body, in Barnstable, in the following terms: "In 1775" (he mistakes the date; it

Dr. Freeman at a late hour received a message professedly from a distressed friend who earnestly desired his immediate attendance. Suspicious, from the manner of the messenger and from other circumstances, that the message was an artifice and that evil was intended, but still unwilling to decline what *might* be a pressing call upon his friendly aid or sympathy, he arose from bed and at once proceeded to the house of his friend who was represented as being in a dying condition. Having proceeded but a short distance and just passing the tavern where, if any where, he suspected mischief might be conceived, three of the persons who signed the preceding confessions and recantations, but whose names we have suppressed in the record, rushed out and insolently professed that they were "a committee from the Body of the People" who, being convened in the tavern, demanded his attendance to answer for his

was 1774,) "at a regular term of the court at Barnstable in Sept., I witnessed the following prompt procedure. A body of men assembled and obstructed the passage of the court-house door. The leader of this assemblage was Dr. Nathaniel Freeman of Sandwich, a bold Son of Liberty. Col. James Otis, the venerable chief justice, preceded by the sheriff, approached and demanded admission. Dr. Freeman replied that it was the intention of the people to prevent the court being opened to exercise those unconstitutional powers with which Parliament had invested them. The chief justice, in his majesty's name, commanded them to disperse and permit the court to enter and proceed to business. But his majesty's name had lost its power. It can have no charms with the sons of liberty. The judge then said he had acquitted himself of duty, and retired.—The proceeding had been discussed and concerted prior to the court term, and Col. Otis, himself a stanch whig, was, it was believed, not only apprised of, but actually acquiesced in their bold measure." Dr. T. might have added that Col. Otis was not the only member of the court, or office-holder, whose sympathies were entirely with the people. The signatures of the majority were freely and cordially yielded.

late "conduct as the LEADER of the Body assembled at Barnstable," and "also for similar proceedings at a like assemblage at Plymouth."¹ He replied that he greatly

¹ The proceedings at Barnstable, it will be remembered, were had Sept. 27 and 28, arranged at an earlier period, and matured at Sandwich, Sept. 26. The assemblage at Plymouth, in which he bore a prominent part, was at a subsequent date, Oct. 4. Many anecdotes might be related connected with the latter assemblage: we must be content with mentioning one only as showing that Dr. F., who was conspicuous in those proceedings, was nevertheless a pacificator — disposed to use his influence to secure a lenient and humane course of action. The incident was related to the writer more than 30 years ago by a very aged person resident in Plymouth, who was present and witnessed the whole. Among those glorying in their loyalty and opposition to revolutionary movements, was an aged, venerable, pious deacon, whose fortune it was, in the course of the proceedings, to be arraigned with other tories, before the Body of the People there assembled. Determined that no "recantation" should be obtained from him, let the event be what it might, there seemed no alternative but to be baffled in the attempt or bring this personification of Trumbull's McFingal to terms by the process which the poet's epic of the revolution so aptly though quaintly describes: —

"And with loud shouts and joyful soul,
Conduct him prisoner to the pole."

Whether the good deacon would have become pliant as the poet's "constable," or have proved a veritable "squire," —

"And stood heroic as a mule
To meet the worst — for recompense
To trust King George and Providence," —

we have no means of deciding. The ordinary process —

"There from the pole's sublimest top
The active crew let down a rope,
At once its other end in haste bind
And make it fast upon his waistband,
Till like the earth, as stretched on tenter,
He hung self-balanced on his centre;
Then upwards, all hands hoisting sail,
They swung him like a keg of ale,
Where looking forth in prospect wide
His tory errors he espied," —

was not permitted. Dr. F., both compassionating and revering the

respected the "Body of the People;" but that no *such* body would assemble in that tavern; moreover, if assembled, no *such* committee as themselves would be appointed; and therefore he must not be expected to pay any further regard to such false and insolent pretences. Then walking slowly on, the ruffians called after him that they were "*directed* to take [him] by force." However, the arrogantly self-styled committee dared at this time no further violence. Returning the same way within the same hour, he was met again, in passing the tavern, by Y. Z. and others of the pretended committee and the same demand was repeated. Treating their arrogance with scorn, he was passing on without deigning further notice of them; but they, keeping before, said their *orders* were to *compel attendance*. Frankly telling them that his only means of defence was the cane which he held in his hand, and that whilst it was not his intention to assault them, he should defend himself against their rudeness; the trio still stood at bay, Y. Z. hesitatingly saying to his fellows, "Shall we seize or strike?" Dr. F., standing in the attitude of defence, they, apparently concluding that "discretion is the better part of valor," began menacingly to retreat towards the tavern; when, he slowly but cautiously proceeding again, others rushed out to

age of the man and respecting his position in society, at once re-ascended the inverted hogshead that had been used just before as a platform from which was delivered a public address, and, whilst the rope was being adjusted by the excited crowd, called their attention to a *resolution* he was about to offer: "Resolved, that Dea. — is nobody;" — it was seconded by acclamation and voted unanimously. It was not, however, until the process of binding was resumed, that the *intent* of the resolution was generally apprehended; then shouts of laughter arose, whilst the conscientious loyalist was unbound and permitted to pursue his wonted course secure from further annoyance.

reënforce their associates, and the assault commenced in earnest. Being ferociously attacked by the whole "Body of the People" *then and there assembled*, the assailed defended himself as best he could against such numerical odds; but "being precipitously surrounded by the entire banditti," the blade which he had quickly drawn from his sword cane was seized from behind, and, in the attempt to wrest it from him, was broken at the hilt; the sheath part which he had until now held in his left hand, was then for a moment plied vigorously about their heads until it was broken and he had fallen under the weight of the assassins' bludgeons, senseless and weltering in blood; and doubtless he would have perished at their hands had not friends come quickly to the rescue.¹ He was raised up, his clothes nearly torn from his body, so violent had been the struggle, his head a gore of blood, speechless, apparently in a dying condition, and conveyed home.² Most of the

¹ It was a fortunate circumstance that the friend whom he had been called to visit, being impressed with the idea that violence was intended, had without the knowledge of Dr. F., followed after to watch his progress, and as soon as the attack was made gave the alarm.

² The dastardly act certainly reflected no honor upon the tories. They dared not attack otherwise than in congregated numbers one who had been equally the object of their fear and their hate. Nor was it otherwise than honorable to the resistant that HE was singled out to suffer this indignity. It illustrated his prominence, the consistency of his course, and the justice of his cause. It showed, exhibited in what was believed to be the murderous intent, the spirit that had been foreseen to exist in the bosoms of leading loyalists which made it necessary for the patriotic to resist in season or be trodden down into the vilest vassalage. What though the bitterest taunts were hurled, and, when brute force was superior, the vilest indignity was offered! The gallant Warren, subject to the same hate for his patriotic devotion, was subsequently hissed in the Old South Church when in 1775 he delivered his oration on the anniversary of the Boston massacre; the

assassins were promptly secured by the citizens; and the report of the assault flew in every direction as if with lightning speed; so that quickly, besides great numbers of the people of Sandwich rallying around the dwelling of the injured, were more than a thousand men who had flown as it were from Barnstable, Falmouth, and towns below — from Wareham, Rochester, Plymouth, Kingston, Duxbury, Middleboro', Halifax, and other distant places. With an indignation bordering on rage they demanded the culprits to be delivered up to them for summary punishment. But, fortunately for the offenders, a warrant had already been issued, and they convened before a special sessions of magistrates at Great Marshes. Dr. Freeman's alarming symptoms which had been chiefly occasioned by the loss of blood together with the almost superhuman exertions he had made in self-defence, quickly passed away; and though yet suffering and greatly debilitated,¹ he came forth to his door and addressed the immense concourse of the friends of liberty that without consultation or concert had thus spontaneously and from the first impulses of noble hearts, been brought together. He told them that as legal steps had already been taken with great promptitude by the interposition of judicious friends, he was unwilling that a cause so

noble-spirited Hancock's house was assaulted and his fences mutilated the same year; and that patriotic "flame of fire," James Otis Jr., had been five years before stricken down by a bludgeon in the hands of a dastardly royal commissioner. These were penalties which patriotic virtue must pay to the spirit of despotism, for daring to assert and maintain *the right*; sacrifices laid on the ALTAR OF LIBERTY.

¹ The last blow of a ponderous bludgeon upon his head must have been fatal had not a friend who had arrived broken the force of it by his own arm. A scar on the head, caused by this blow, was a conspicuous mark after baldness had ensued, as long as Dr. F. lived.

good and glorious as that in which the people were engaged, should be tarnished by any proceedings that might by any persons be considered as partaking in the least of precipitancy of rage however just, or by irregularities that might by any be denominated the violence of a mob. He “urged with great power and eloquence, forbearance and a dutiful respect for the laws.” The assembled people were so far pacified that they consented to await the legal decision ; but insisted on accompanying Dr. Freeman, *en masse*, to the court to be held the next day at Great Marshes. The whole number of sympathizers present on this occasion is said to have been upwards of three thousand.¹

The culprits, such of them as had not been successful in flying beyond the province, were anxious to settle the affair without further proceedings. Their position in society had hitherto been generally respectable, their connections were numerous and generally esteemed, and their families greatly distressed by the dishonorable course they had taken. Dr. Freeman himself was inclined to be lenient, believing it the dictate of true magnanimity ; and, by consent of gentlemen whose advice he sought, permitted the assassins to be let off on paying £100 lawful money as costs, and giving bonds for their good behavior. With this requisition

¹ We certainly would consider it cause of gratulation could we say of our native town that it was exempt from any loyal tendencies repugnant to popular rights and the cause of liberty ; but the antagonistical principle seems, in most cases, to have been gauged by the zeal it had to encounter in opposition. Sandwich furnished a large quota of loyal sympathizers, some of whom were men of family distinction, influential and resolute. Its future career, however, is not to be estimated by the demonstrations of the loyal element at this present period. The discomfiture and mortification of the tories were prompt and effectual. Sufficient unto the day is the evil thereof.

only, earnestly advocated by Dr. F., the court assented, and the culprits gladly complied.¹ The people however were not satisfied with the arrangement, and determined that the affair should not so end; and, Dr. F. having peremptorily declined to proceed further, large numbers who had returned to Sandwich, being prominent citizens of Sandwich and other towns, held a public meeting and resolved to "demand satisfaction *for the affront offered them*, since Dr. Freeman had received the indignity as the *champion* of their rights and for having heroically signalized himself in the *cause* of his *COUNTRY*." The assassins were therefore rearrested and obliged, to appease the people, to subscribe,

¹ An account of the assault was communicated to, and published in, the journals of the day, by Judge Thomas. A paper, also from the same source, signed "A Plymothean," may be found bearing date Nov. 3, 1774, communicating the final result. That communication presents some shades of difference only from the preceding. It commences, "As every transaction is mutilated and changed, the better to promote the corrupt views of a party, you, Mr. Printer, are desired, to prevent misrepresentation, to publish this account of a scene acted at Sandwich and intended to have been more tragical than it happily terminated. Dr. Freeman's patriotism has exposed him to the rage and malice of a few satellites of arbitrary power in the town of Sandwich. Six of these creatures met at Newcomb's, the innholder's, and after having inflamed their passions with liquor, sent . . . whom they called a committee to demand Dr. F.'s immediate attendance before them to answer for some supposed misdemeanors committed against one of their gang," (the individual who had been compelled by the Body of the People, Oct. 5, to sign a confession under the liberty pole, with his hat off, for selling tea.) "On delivering their message to the doctor, he replied that he was not amenable to them for any instance of his conduct; that he had not injured W. X.; and should disregard any insolent summons they might send. With this answer this ludicrous committee returned apparently satisfied; but were soon succeeded by four others of the company who insisted very peremptorily on his compliance. The doctor told them, as he had done the others,

uncovered, under the liberty pole, they being elevated on a scaffold, a declaration¹ as follows:—

Whereas the subscribers, encouraged by our number, did attack and cruelly beat Dr. Nathaniel Freeman,² with such unparalleled cowardice and barbarity as would disgrace the character of a ruffian or a Hottentot, for no other reason or

that he disavowed the authority they had assumed to compel his appearance before them, and that if an attempt was made he should stand on his defence. They, dastard like, attacked him together. The doctor, though fired with resentment, acting on a well known maxim in law, retreated as far as he could, and then defended himself with a spirit truly magnanimous. He received several sanguinary wounds on the head; and one blow aimed at him it is thought would have been fatal had it not been intercepted by a friend who came to his assistance. That this shameful assault was premeditated, the fruit of design and not of accident, is evident from its being predetermined who should commence and strike the first blow; and some of the assailants can hardly be looked upon in any other light than as assassins. Dr. F., to refute and silence the ridiculous vaporings that all law and government are abolished, entered his complaint to a magistrate, the Hon. James Otis Esq. of Barnstable, who issued a warrant by which the culprits were apprehended and carried to Barnstable. They were very solicitous to accommodate the matter, and, before the time arrived for holding the court, earnestly besought the doctor to make some proposals of accommodation. . . . Setting aside the necessity of chastising such poltroon enterprises with exemplary severity, whoever considers the circumstances of aggravation with which the affray was attended, cannot but think that the terms exacted by Dr. F. and by the people were highly reasonable."

¹ This confession was draughted by Gen. Goodwin of Plymouth.

² Hon. NATHANIEL FREEMAN was of the 5th gen. in lineal descent from Mr. Edmund Freeman the original proprietor of Sandwich, (see pp. 127 and 128,) who, b. 1590, was f. of Edmund, 1622, who m. 1st Rebecca Prince, 2d Margaret Perry, and was f. of Edmund 1655, that m. Sarah (prob. Sunderland) and was f. of Edmund 1683, who m. Kezia Presbury and was f. of Edmund 1711, who m. Martha Otis and was f. of Nathaniel. His father having grad. H. C. 1733, m. a dr. of Nathaniel Otis, (who m. Abigail Russell,) and for some time taught a school in that part of Yarmouth then called Nobscussett, where Nathaniel was born March 28, 1741 O. S. The father soon

provocation than that he, uninfluenced by hope or fear, has dared to stem the tide of tyranny and corruption, and has been the principal author of those political movements in this county which have been most universally applauded, — We, in the first place, sincerely and heartily ask the forgiveness of Heaven whose sacred laws we have so shamefully violated, and also of Dr. Freeman — a gentleman to whom we are indebted for the most important service done his country; further, we implore the forgiveness of the whole community for the indignity offered to it; and particularly of this Body of the People, for the trouble and expense occasioned to them by this high-handed offence: and we do solemnly engage for

removed to Mansfield, Ct.; and the son, on attaining his majority, having studied medicine, married and removed to Sandwich — “the place of his fathers’ sepulchres.” In his medical profession he was successful, attaining to distinction both as a physician and surgeon. See Thacher’s Med. Biog. He had been encouraged both by the advice and patronage of his maternal great uncle, Col. James Otis, to establish himself in Sandwich, in 1765, and not long after, by advice and under the direction of the same friend, went through a regular course of legal reading. This was undertaken, not because his professional practice was irksome or unprofitable — for he was still laboriously employed in that, and to the day of his death was never permitted wholly to relinquish it: but because the exciting topics of the day seemed to render it expedient that men called to occupy prominent positions should fortify their minds for the exigencies that might arise. The position he then and subsequently held, and how he espoused with his whole heart the cause of his country, clearly appears in the records and correspondence of the day from the hour in 1773 when he reported the resolutions in sympathy with the spirited action of the town of Boston and was chosen chairman of the committee of correspondence and safety of the town of Sandwich. His influence was prominent not only at home but in every general and patriotic movement abroad. The minutes of the Body of the People in 1774 show that it was no ordinary action instigated by demagogues, but the procedure of high-minded men about to resume abused delegated power. There was a full and perfect understanding between leading patriots in other parts of the state and himself in regard to the importance of that movement; and even a majority of those who from prudential considerations seemed at the moment to assert the dignity of their official position under the crown, approved the action of the

the future religiously to regard the laws of God and man, and conduct ourselves in all respects as becometh friends to society and good government. (Signed.)

Sandwich, Oct. 10, 1774.

We have devoted much space to a recital of these transactions ; but not more, we are sure, than we would were the record one with which we might be supposed to have less of sympathy. It forms an important feature in the revolutionary period of our country's history, and could not on account of consanguineous scruples have been omitted without rendering the writer ob-

people. The journals of the General Court of which he was a member, convened in 1775, which "took up government" on the recommendation of the Continental and Provincial Congresses ; the constitution of important committees especially, and other appointments made, tell his standing then and there. Often brought in immediate contact with Gen. Washington from the moment he was delegated to provide suitable accommodations for the commander-in-chief at the head of the army at Cambridge, to the time of his delegation with Maj. Osgood to West Point in 1779 for the performance of a most important trust at a most eventful period when he publicly addressed the officers and prophetically assured them that upon the successful termination of the war a grateful country would appreciate their services and call them to posts of honor in the civil administration of the government, there is evidence that he enjoyed the friendship, approval, and confidence of that distinguished man. Elected by the General Court, in 1775, lieutenant colonel, and, the following February, colonel of militia, (in which capacity he marched at the head of his regiment on the expedition to Rhode Island,) his appointment as justice of the peace and quorum, as also register of probate, soon followed — in August ; and in October he was appointed a judge of the Court of Common Pleas whose progress he had arrested a year before ; his commissions civil and military being signed by the president and members of Council acting as governor, and in the name of 'The government and people of the Massachusetts Bay in New England.' His appointment as superintendent for the county, &c., during the war ; his position as member of the House of Representatives in 1778, '79 and '80 ; and many honors in quick succession conferred bespeak the estimate put upon his services. On the adoption of the state consti-

noxious to the charge of being strangely oblivious to proceedings of great public interest. It has seemed, therefore, imperious duty to forego, as an historian, all affectation of self-denying modesty ; and to act upon the principle involved in the sentiment of the immortal bard, —

“I’ve forgot my father ;
I know no touch of consanguinity.”

The ingenuous will recognize the duty as imperative.

tution in 1780, he was recommissioned judge of the Common Pleas, register of probate, and justice of the peace and quorum ; was also of the first “*dedimus potestatem*” to qualify civil officers, and commissioned to “take up and restrain persons dangerous to the state.” Appointed, 1781, brigadier general, he offered his services in 1786 to Gov. Bowdoin to suppress “the insurrection.” Resigning his military appointment in 1793, he was honorably discharged Oct. 31. Gov. Hancock, in consenting, wrote of him — “An officer whose patriotic services shone so conspicuously during a long and arduous revolution which tried the souls of men in whatever station they were called to act by the voice of their country ;” and, the governor dying before the discharge was perfected, Lieut. Gov. Samuel Adams acting as governor wrote, on forwarding the papers, “The spirit of liberty, under whose benevolent guide your conduct has been so eminently distinguished during our late conflict with despotism, is equally recognized in you by the present as by our lately departed commander-in-chief ; and he expresses his confraternity with you in friendship and in the united love of our common country — whose government is established on the solid foundation of equal liberty and the rights of man.” The office of judge of the Common Pleas he held until that court was superseded by the Circuit Court in 1811, a period of 36 years, within which time he was appointed by Gov. Sullivan, chief justice, and also chief justice of the Court of Sessions ; the office of register of probate he held more than 47 years, resigning it voluntarily in 1822 into the hands of his friend and compatriot, Gov. Brooks. He was early elected, on the nomination of Gov. Brooks, a member of the Massachusetts Medical Society ; in 1797 was elected a member of the Massachusetts Historical Society ; and, in 1812, of the American Antiquarian Society. His conversational powers were of the first order ;



L. Crocker, Lith. Boston.

From your humble friend
N. Freeman

HON. NATHANIEL FREEMAN.

B. 1741; D. 1827.



Moreover, the omission, for personal reasons, of a record which reflects much honor on numerous energetic patriots in this county and adjacent counties, would be manifest injustice to all; for the spirit of liberty was not limited to the few to whom was delegated a prominence, but pervaded the Body —

“ totamque infusa per artus
Mens agitat molem, et magno se corpore miscet.”

and he was one of the best extempore public speakers of his day. Living generously and independently — his hospitality of the old school — a man always of uncommon industry, application, and perseverance — he survived most of his contemporaries; and died, leaving a large library in medical and legal science, as also theology, but a very limited amount of other property, although unembarrassed and free from debt, at the advanced age of nearly 87, Sept. 20, 1827 — retaining a good degree of mental vigor and physical activity to within a few days of his decease.

“ Of no distemper, of no blast he died;
But fell like autumn fruit that mellowed long;
Even wonder'd at, because it falls no sooner.
Fate seemed to wind him up for four-score years;
Yet freshly ran he on six winters more,
Till like a clock worn out with eating time,
The wheels of weary life at last stood still.”

We present, not without some hesitancy, an engraving of a likeness of him; but painted when he was 85 years of age and at a time when suffering from injuries received by the oversetting of a stage coach. The likeness is not without defects. “In personal presence he was commanding; his height six feet; his eyes piercing; his countenance strongly marked” and denoting character. By two marriages he had 20 children, 18 of whom lived to adult age and were married.

CHAPTER XXI.

The Cape Towns Awake to the Importance of the impending Crisis. — A County Congress. — Gov. Gage alarmed. — Countermands his Orders for a Meeting of the General Court. — The Court meet and denounce him. — Resolve themselves into a Continental Congress. — Battle of Lexington. — A Call to Arms. — Bunker Hill. — Congress prepares for Defence. — Commander-in-Chief. — Local Items. — Vigilance to counteract the Tories. — Importance of Cape Cod Harbor. — Letter from Hon. James Otis. — Defence of the Coast.

THE town had now imbibed largely the spirit of revolution. Public meetings were being held for various public objects, all tending to the same result and with one great general object in view. Committees of correspondence and vigilance were appointed, and the spirit of the masses of the people began to be most determined. A County Congress was held in Barnstable, Nov. 16, 1774.

The governor of Massachusetts Bay having issued precepts to the several towns in the province for the return of representatives to the Great and General Court to be convened at Salem, Oct. 4, had become alarmed at the preparations which he saw were being made to resist the usurpation of chartered rights, and, countermanding his orders, postponed, by proclamation, the session. Disregarding his mandate, ninety representatives elect assembled. They waited a suitable time for the governor to attend and administer the several oaths; but he not appearing, they proceeded to organize. John Hancock was chosen president and Benjamin Lincoln clerk. After passing sundry resolves in regard to the conduct of the governor and other officers of the crown, and in reference to the condition

of the country, it was moved, "That the members present do now resolve themselves into a PROVINCIAL CONGRESS, to be joined by such persons as have been or may be chosen for that purpose, to take into consideration the dangerous and alarming situation of public affairs in this province, and to consult and determine on such measures as they shall judge will tend to promote the true interests of his majesty, and the peace, welfare and prosperity of this province." The Cape towns were generally represented.¹

¹ The first session of this Congress was held, Oct. 7. How judicious, bold and active were the proceedings of this memorable Congress, is told in other publications more *in extenso* than is compatible with the space allotted chiefly to local annals. We there learn how wisely the committees were appointed; with what manly dignity the governor was addressed; what prudent foresight was exercised in advising the withholding of the public moneys from the receiver-general of the crown, and in the appointment of a new province treasurer; and how, when the royal governor commanded them to "desist from such illegal and unconstitutional proceedings," and "warned" them of their "*danger*," they were none the less determined—but closing their doors to prevent intrusion set themselves about their work in good earnest, appointing committees of safety and correspondence, providing for a more efficiently organized militia, a corps of minutemen in every town, an increase of military stores—intending to lay the foundation of an army. The loyalists, in the mean while, were not inactive. Timothy Ruggles, formerly of Sandwich, and occupant of the *Newcomb Tavern*, (lawyer, innholder, general, sometime professed patriot, at last undisguised tory,) now of Hardwick, an active leader in concocting measures throughout the province for the furtherance of the work on which the royal governor was intent, had succeeded in causing papers to be circulated in every town, calling on "the friends of government to unite in associations to counteract the designs of the patriotic; the loyalists denounced the whigs as "bullies," who, when blows should respond to words, would be "as agile in retreat as their tongues were now nimble;" and the "red-coat military" boasted that the disaffected provincials were but a "mob without order or discipline," who would be "easily crushed in any contest" that might ensue.

At this juncture, a meeting of committees from the several towns in the County of Barnstable was held. Assembling in the court house in Barnstable, Wednesday, Nov. 16, Hon. James Otis was chosen moderator, and Col. Joseph Otis clerk of the meeting. Col. Nathaniel Freeman,¹ Col. Joseph Otis, Mr. Thomas Paine, Daniel Davis, Esq.,² and Mr. Job Crocker, were appointed a committee of correspondence — to communicate with different parts of the county and with other counties in the province as occasion might require; and a committee consisting of Hon. James Otis, Col. Otis, Col. Freeman, Capt. Joseph Doane, Mr. Paine, Daniel Davis, Esq., and Capt. Jonathan Howes, were appointed “to consider further the public grievances and the state of this *county*, and report at the time to which this meeting shall be adjourned.” Having thus laid the foundation for united concert of action, “thanks were voted to the moderator, clerk, and to Col. Freeman for their good services,” and the meeting separated — stout hearts strengthened by the interview, their purpose more than ever resolved, and their hopes and expectations brightened.³

¹ Dr. Freeman's commission first as lieutenant colonel was under the great seal of the Council assembled at Watertown. His appointment as colonel was by the General Court, Jan. 7, 1776.

² Hon. DANIEL DAVIS was a gentleman highly esteemed and always prominent in the business of both town and county. He was one of the justices of the Common Pleas, from 1770; member of the Provincial Congress; of the Council from 1776 to the commencement of the State Constitution; appointed judge of Probate, 1778; and, in 1781, judge of the Common Pleas, and then chief justice — holding the last two offices to the time of his death. For the portrait of him, which is here given, we are indebted to his great-grandson, Daniel Cobb, Esq., merchant, of New York.

³ We have referred in a previous note to a provision for “minute-men,” and to discussions looking to the raising of an army. The Provincial Congress had resolved that for the defence of the province



L. Grosziers Lith. Houton.

Daniel Davis

Born 1713; D. 1799



We have no need to look abroad or into ancient history for models of true patriotism: they are found at home now and henceforward in the promptitude, toils, daring, and sacrifices of our revolutionary sires. They were not, like many of the champions of invaded Greece, unchained from the workshops and doors of their *masters*, nor were they even those whose *vocation* was the bearing of arms; but men of pacific habits, ready for liberty's sake to condemn the threats of

a number of inhabitants should be enlisted to stand "ready to march at a minute's warning;" and now, in November, agents were sent to New Hampshire, Rhode Island, and Connecticut, to request their cooperation in order to provide an army of 20,000 men to act in any emergency. In the same time, the British Parliament had convened, and the king in his opening speech informed the members that "a most daring resistance to the laws" prevailed in Massachusetts which was encouraged by unlawful combinations in other colonies, and expressed his firm determination to withstand any attempt to weaken or impair the royal authority. The two Houses expressed their hearty concurrence. Still, when the British ministry brought the American papers before Parliament, Lord Camden arose and said, "The way must be immediately opened for reconciliation. It will soon be too late. They say we have no right to tax them without their consent. They say truly representation and taxation must go together; they are inseparable. This wise people speak out. They do not hold the language of slaves. They do not *ask* you to repeal the laws as a favor; they claim it as a right. They tell you they *will not submit* to them. And I tell you, the acts must be repealed, and you must go through the work. You must declare you have no right to tax. Then they may trust you." But Chatham's views for conciliatory measures were negatived by a large majority. Petitions from the merchants of London and other commercial cities were consigned to the committee of oblivion; and Benjamin Franklin and other commercial agents were absolutely refused a hearing on the plea that they were appointed by illegal assemblies. Thus the voice of three millions of people in the attitude of applicants for right was put to silence. Parliament charged the Americans with "wishing to become independent," and determined "to crush the monster in its birth at any price or hazard."

tyranny, and, if needs be, leave their own happy firesides and meet the privations of the camp and the perils of the field. No anxiety, it is true, was felt that written memorials of their sacrifices and daring should be preserved — it has always been true of Cape Cod; and hence much that might have been of thrilling interest has perished unrecorded — irretrievably lost — buried in the graves of the unassuming citizen patriots who did much to assure the liberty and prosperity of posterity, and, strange to say, no one has hitherto cared to rescue surviving facts from oblivion. In all the histories that have been written, Cape Cod has been treated (we have before intimated) as if it were a *terra incognita*. If, indeed, it is alluded to, its agency in great political events is singularly overlooked; and its noble patriots are unmentioned, or if the names of any *must* necessarily be spoken, the fact of their origin and the scene of their labors is negligently concealed. It was not here, as in the old world, that the nation was identified with the capital, and the capital with the court, so that, as in France, if Paris falls, the nation succumbs with it; but in every town and village, the great questions at issue were under discussion, and from seemingly unimportant positions the *fiat* went forth, “America must and shall be free.” Cape Cod was emphatically revolutionary ground.

We turn from important public events to notice matters of mere local interest; but have only to say, that the General Court appropriated this year £135 “to enable the inhabitants of Provincetown to support a Protestant minister;” and that, notwithstanding all the toils, perplexities, and privations of the years that ensue, the interests of justice, morality and religion were not neglected.

In 1775, Thomas Gage still remained in office ; but, fortunately, was the last ever appointed for Massachusetts by the crown.¹ The battle of Lexington, in April, became the signal for war.² A letter addressed at this time to Col. Freeman of Sandwich by Mr. Watson of Plymouth, is illustrative of the excitement occasioned by this event, and the spirit of the times.³ It shows,

¹ Several regiments, we have said, followed Gage soon after his arrival. He had begun to repair the fortifications upon Boston Neck ; had seized the ammunition in Charlestown arsenal ; and had again been recruited, so that his forces were 10,000 strong. He now sent out a detachment to take possession of the stores at Salem and Concord.

² When Gage sent his troops to seize the stores at Concord, the march, though in the night, was discovered ; and early in the morning of the 19th, as the troops under Colonel Smith and Major Pitcairn reached Lexington, they found about seventy men of the "minute company" of that town under arms. Pitcairn riding up to them, called out, "Disperse, you *rebels* !" and not being obeyed at once discharged his pistol and ordered his troops to fire. Eight Americans were killed and others wounded. It was the intention of the people so to conduct as to place their adversaries in the wrong ; determined that if hostilities must commence, England should be the aggressor ; but it was equally their determination to repel with firmness the first hostile attack. This is, to say the least, one of the few battles comparatively in which human blood has not been shed in vain. It was truly an occasion on which the blood of patriots proved to be the seed of liberty ; the beginning of that sanguinary contest that resulted in the establishment of American independence. — On the return of the troops the people of the neighborhood had very generally gathered in arms, and the retreating troops were attacked in all directions. At Lexington, a British reënforcement came to the rescue and secured the retreat of the red-coats to Boston, after the damage of 60 killed and 180 wounded. The American loss was 50 killed and 34 wounded.

³ The letter of Mr. Watson may not be without interest : —

"Plymouth, April 24, 1775.

"Dear Col. Freeman, —

"I congratulate you and our good friends in Sandwich on the grandest event that ever took place in America : I mean the late battle at Concord, &c. That 700 poor, despised Yankees (I glory in the name)

too, that party animosities were not more strong than was the conviction of right and a confidence in the approval of Heaven in the patriot breast. The religious element was, indeed, potential throughout the entire progress of events, and no doubt contributed power-

should have put to flight and totally defeated 1700 of Lord North's best picked troops, consisting of grenadiers and Earl Percy's regiment of Welsh Fusileers, is a circumstance deeply mortifying to those who thought themselves invincible. One of our Kingston friends was in Boston when the vanquished troops returned, and was at the ferry when they were brought over, who says he cannot express the mortification, disappointment and chagrin that appeared in their countenances. Cartloads of the wounded were hurried to the hospital, (many of whom are since dead,) their mouths belching out curses and execrations. We have disarmed our tories, and they are in a melancholy situation—suing and begging for reconciliation on any terms. We are in high spirits, and don't think it is in the power of all Europe to subjugate us; for it is evident that the Lord of Hosts has declared in our favor, and to this God let us ascribe all the glory and all the praise. The poor, wicked, mandamus party are fled to the ships; and to what can they fly next? I am sure they have not a good conscience to flee to. I wish them future happiness; but I cannot in conscience wish them much good in this life. I sincerely wish and most heartily pray that a proper sense of this very remarkable interposition of Providence in our favor may have a proper effect on the minds of a much injured and greatly insulted people. Ned Winslow was in the action, and had his horse shot under him. . . .

"I am, sir, with much esteem, and most sincere affection,

"Your humble servant, in great haste,

"W. WATSON.

"Col. Nathaniel Freeman, Sandwich.

"P. S. Please forward this to Col. Otis of Barnstable, after Col. Freeman has read it."

The foregoing letter was evidently dictated in haste and under the inspiration naturally induced by the intelligence he had just received. It is worthy, however, to be preserved as characteristic of a period when every occurrence was pregnant with interest.—One fact is not a little remarkable in this connection, as showing the injustice that is sometimes awarded to those who have borne the heat and burden of

fully to prevent despondency and to secure the final result. The evidence of this is every where apparent throughout the revolutionary movement. Whether presumptuous, superstitious, or well founded, the impression seems to have been strong in the minds of the patriots, that their cause was the cause of God and that God would defend the right.¹

The Provincial Congress, in May, declared Gage an

the day in a good cause; and as illustrative of the mutations that await political influence, power, and place: in the time of our career as an independent government, the writer of the aforesaid letter, who was by all who knew him ranked among the most zealous and approved whigs, highly respected, was rotated from office in consequence of representations made, doubtless with sinister intent, to President Jefferson, the burden of the charge being that he was "an old tory." A graduate of Harvard College in 1751, he was through a long life, extending from 1730 to 1815, a zealous advocate for the rights and liberties of his country, and a man of high integrity. He was, in 1775, the first postmaster appointed for Plymouth by the Provincial Congress; in 1782, was appointed by the General Court naval officer; and in 1789 received a commission under President Washington as collector of the port of Plymouth. President Jefferson removed him in 1803.

¹ Among the papers published under the name of the "American Archives" appears a letter from Col. Freeman, dated "Sandwich, May 2, 1775," addressed "to the Chairman of the Committee of Safety," Dr. Church, in which an expression occurs so singularly coincident with that used eight days after, by Gen. Allen at the taking of Ticonderoga, that we venture to notice it as at least one of the instances corroborating the pervading influence of the religious element referred to. Gen. Allen, when asked, May 10, by De La Place, his authority for demanding the surrender, replied, "I demand it in the name of the great Jehovah and of the Continental Congress." Col. Freeman's letter, May 2, after reporting the success of an expedition intrusted to him by resolves of the general committee of safety, concludes, "Any further orders from the honorable committee in the cause of God and my country I am ready to execute with the greatest pleasure."

enemy, disqualified for his office and unworthy of obedience; and his functions were from that time confined to Boston.¹

Thus, as related before, a memorable crisis had come with the shedding of blood. No pen can portray the feelings which the event had excited. Couriers had been despatched in all directions conveying the news as they flew, (for we can hardly say rode,) and this was speedily carried every where, spreading in an increasing circle like electric light throughout the land. Wherever the news reached, though on Sunday, if in the time of divine service, the messenger at once entered the church and proclaimed, "War is begun!" The cry was every where repeated, "War is begun!" and the almost universal response was, "To arms: liberty or death!" It was felt that the question was now to be decided — abject servitude or the enjoyment of inalienable rights and liberties. Public meetings were held; resolutions approbatory of the Provincial Congress were passed; and no people in the whole length and breadth of our land were more ready and determined for the contest than were the inhabitants of Cape Cod, notwithstanding the great sacrifices they must encounter. The fisheries and their commerce — the main support — it was clearly foreseen would be cut off and great privations must ensue; but these considerations and the thought of danger or death were as

¹ In June, Gage issued a proclamation offering pardon to all "rebels" except Samuel Adams and John Hancock. Their offences were "too flagitious to admit of any other consideration than that of condign punishment." They were then members of the Continental Congress, of which the latter was chosen president, May 24. — The battle of Breed's Hill, which ensued, doubtless convinced Gage that he had mistaken the character of the Americans.

nothing before the patriotic blaze which was now enkindled and rising high in every bosom where true patriotism had a home. All was activity and preparation.¹

A bill had been passed by Parliament, February 10, by which the colonies were to be restricted in their trade to Great Britain and her West India possessions and prohibited also from fishing on the Banks of Newfoundland; it was expected that these prohibitions would prove particularly distressing—the idea prevailing in England that as so many of the inhabitants of the colonies depended on commerce and the fisheries for subsistence, they could be “starved into obedience.”² The fisheries on the Atlantic coast were

¹ The Provincial Congress of Mass. which was in session when the affair at Lexington occurred, had sent despatches to England accompanied by depositions to show who were the aggressors—the Congress still professing the loyalty of the people to the crown, but at the same time protesting that they would not submit to the tyranny of the British ministry, and solemnly averring: “Appealing to Heaven for the justice of our cause, we determine to die, or be free.” Addresses to the throne, protests, and resolutions multiform we may well suppose could hardly have been expected by the leading men of the day to have much effect on king, ministry, or Parliament; they were intended, doubtless, to have, as they did have, more serious effect upon the feelings of the colonists themselves—showing them their true situation and danger and awaking them to unity of action and firm resolve. Still, there is overwhelming evidence that in the contest now begun between the colonies and the parent country, there were thoughts of consanguinity that urged to the very exhausting of attempts at reconciliation on honorable terms.

² When the report of former proceedings had reached England, a joint address of both Houses was presented to the king declaring that “rebellion already existed” in Mass., and beseeching his majesty to suppress it—an army of 10,000 men, it was believed, would be amply sufficient “to reduce the rebels to submission.” Now the starving process must also be tried. But liberty and patriotism being the

always regarded both by England and here as of *prime* importance, and so in fact they were, and ever have been.¹ Various were the means to which resort was had for inducing submission.²

The second Continental Congress,³ pursuing the previous policy so pregnant with proofs of a desire only for right and for reconciliation on terms honorable, recommended the observance of a day of humiliation and prayer "to implore the blessings of Heaven on [their] sovereign the King of Great Britain, and the

order of the day, although there were always some whose nerves were sensibly affected by England's menaces, and who stood aghast, declining all preparations for resistance, the ranks were amply filled by those of stronger nerve and better fitted to do honor to themselves and their country.

¹ The London merchants, alarmed by the restraints on trade, took action, testifying the good that resulted to England from the fishing trade of New England. They showed to Parliament that, in 1764, New England employed 45,880 tons of shipping and 6002 seamen, and the amount of her sales in foreign markets for that year was £322,220 16 sterling; that the fisheries were since greatly increased, and that a suppression of this trade would actually wound the commerce of Great Britain and involve thousands of its people in ruin. Still the ministry was determined.

² A bill termed a *conciliatory* proposition was introduced by Lord North, providing that taxation should cease in any colony whenever certain conditions were fulfilled — the design of which evidently was to disunite the colonies. The proposition was indignantly rejected by the Congress and by the colonies; it was moreover decided, in England, by the friends of America in Parliament, to be nugatory, since it was the *right*, not the *mode*, of taxation that the colonies disputed.

³ It may, upon reflection, induce a smile that the 13 little colonies should imagine themselves 'the continent' and call their assembly the '*Continental Congress*.' But South America was then scarcely recognized by the civilized world; and it is not quite certain that there was not *then* indulged the remote thought that the continent itself should be self-governed and the right of all usurpation by European power be denied on American soil.

interposition of divine aid to *remove* the grievances of the people and *restore harmony* between the parent country and the colonies on constitutional terms. British reënforcements, however, continued to arrive, with officers who had acquired distinguished reputation in the war between England and France, and in Boston martial law was in full force.¹ The news of the Bunker Hill battle which soon followed, excited astonishment in England, and increased confidence at home.²

¹ It was determined by the people to annoy and, if possible, dislodge the British forces. To this end a detachment of 1000 men under the command of Col. Prescott was ordered, June 16, to throw up a breastwork on Bunker Hill. They had nearly completed their design before daylight undiscovered; but soon after the day began to dawn, a heavy cannonade commenced from the British ships in the harbor. The Americans in the mean while received a reënforcement of 500 men. At noon, 17th, they found Gen. Howe advancing with an army of 3000. The fire of the Americans was so dreadful that the whole British line recoiled and was thrown into disorder. Soon, however, the Americans were obliged to retreat in consequence of the failure of ammunition. The loss of the British was 1054 in killed and wounded; that of the Americans 453. Among the fallen was the brave and lamented Maj. Gen. Warren, who, without having as yet assumed his commission, had hastened to the battle as a volunteer. Whilst the British troops were advancing to the charge, orders were given by the enemy to set fire to Charlestown; the entire town was laid in ashes—a barbarous act, of no advantage to the British cause, and only serving to exasperate the Americans yet more.

² The British ministry began to see that they were engaged in a sanguinary contest, and that the people of whom they had been accustomed to speak in terms of contempt were not to be intimidated easily, or to be trifled with. Lord Chatham, Burke, and Fox, considering the issue doubtful, as well as disapproving the course taken by the ministry all along, now earnestly endeavored, though without success, to produce an immediate change in the measures of government. The ministry, notwithstanding a strenuous opposition to their rash procedure, carried a decisive majority; and an act was obtained to employ 16,000 additional mercenaries to reduce the colonies. All

Congress at once resolved on vigorous measures for defence; but at the same time agreed on a second petition to the king, and also issued addresses to the *people* of Great Britain and Canada, setting forth their reasons for taking up arms. They also proceeded to organize a *continental army*, and for commander-in-chief made choice, happily for the cause and the country, of GEORGE WASHINGTON; and his head-quarters were soon, July 2, established at Cambridge.

It is not our design to enter more fully into the details of the war than is necessary to illustrate the part which the inhabitants of Cape Cod enacted in the eventful struggle; and we, therefore, yield again to relations of more local nature. — The people of the Cape were not prepared, whatever obstacles might be in their way, to be driven from their avocations upon the seas.¹ Voyages, with the approbation of the

trade with the colonies was suspended; and all property belonging to the same taken upon the high seas was declared forfeited to the captors. The force against America was now 50,000 men.

¹ We find Prince Gorham petitioning to the General Court, Aug. 5, for permission, and a resolve authorizing himself and Benj. Cobb, "to export from Chatham to the Island St. Eustatia, 40 hhds. of old Jamaica and new scale fish, 40 bls. alewives, and 2000 bush. onions," but required to carry "no more provisions than are absolutely necessary for the vessel's use, to be under the supervision of the committee of inspection of said Chatham: always provided that the said fish, &c. shall not be cleared out for any of his Britannic Majesty's dominions." Other and similar petitions and grants were made from time to time. A petition in behalf of Elisha Doane and others of Wellfleet, praying for liberty to send out a number of vessels on whaling voyages, resulted, Sept. 27, in the following resolve: "That the petitioners and all others who have vessels fitting out for the whale fishery be, and they are hereby, permitted to send their vessels out on said fishery, they taking no more provisions than is necessary for the said voyages, and giving bond to the receiver-general of this colony in the sum of

“that Walter Spooner and Moses Gill Esqs., with such as the House shall join, be a committee to take the foregoing letter and collateral papers into consideration and report.” Whereupon Col. Freeman, Mr. Cooper, and Col. Cushing were joined; and it was ordered by the House “that a message go to the Hon. Council desiring that they will direct the said committee to sit forthwith.”

The situation of the county, at this time, was one of great perplexity and exposure. The important decision, whether the friends of liberty were ultimately to prevail, or to suffer as rebels, was yet to be made. There were causes which led the loyalists still to cherish sanguine hopes of triumph; and these offended, subtle, vindictive men were unwearied — throwing all possible obstacles in the way of the active friends of freedom, and clandestinely employing every means of comfort and aid to the enemy. The peculiar position of the county topographically was favorable to their evil intent. The extended peninsula not only presented nearly one hundred and fifty miles of sea-coast liable to hostile incursion; its most capacious harbors absolutely indefensible, and at the will and convenience of the enemy's shipping; but the numerous islands on the south side of the upper portion of the county had already become the resort of base-minded persons, who, fearing to practise their enormities in a less secure retreat, ventured to hope for impunity on these islands where British men-of-war constantly in sight might afford them protection. True, on these same islands were many firm whigs; but their exposedness forbade a repression of the invasions to which they were subject, nor were they competent, under the circumstances, to expel the refugees by whom their every movement

was watched, and who were among them for the express purpose of instant and constant communication with the enemy. Nantucket, Martha's Vineyard, and the Elizabeth Isles were positions uncontrollable by patriotic zeal. Depredations from these lurking-places of the disaffected and from the enemy were constantly occurring.¹ So vital had become the importance of applying some remedy, that, December 18, after due consideration by the Council and House, special action was had, and Major Joseph Dimmick was commissioned to begin the work of reform. He was directed to embrace an early opportunity and with sufficient aid "repair to Nantucket, and arrest such as are guilty of supplying the enemy with provisions." The disinterested patriotism, the indomitable energy, the unflinching courage

¹ As early as May 31 of the present year, a letter from Mr. Stephen Nye of Sandwich to Col. Freeman then in Boston, was laid before the authorities, communicating the proceedings of the British Captain Lindsey, at the islands: "He received a reënforcement from Boston, and went to the west end of the island and took off about 200 sheep, chiefly from Tucker's Island, belonging to John Wing. He then came down to the Cove, and there ordered all the sheep to be yarded; insulting, threatening and abusing the people for their backwardness in assisting him. When this was done, he concluded to let the sheep remain until towards morning. In the course of the night word was brought to Falmouth by Nye, and a number of men well equipped went to the island; but before they arrived the sheep had all been turned out of the yard into the woods. The people from the ship were enraged; and took all the arms they could find, six calves, and the hogs. The Falmouth people got there before day and placed themselves in the bushes, lying undiscovered. The boat came to the shore again, but soon returned without going to the house, and went to Holmes' Hole." Besides similar depredations often made, supplies were being constantly furnished from isolated positions by those in the interest of the enemy, notwithstanding the providing food for the enemy subjected the offender to the penalty of death.

of Dimmick of Falmouth have long since passed into a proverb.

On the 28th, new and increased levies of men were ordered "for the defence of the sea-coast," and Col. Freeman of Sandwich was appointed "to issue the documents necessary for the new 'defence establishment.'"¹ Maj. Hawley, Mr. Sullivan, Mr. Gerry, Col. Freeman and Col. Orne were also appointed "to consider and report some proper orders and regulations to be observed by the militia generally when drawn out on any alarm; and also what further measures are necessary to be taken for the defence of the colony."

For the defence of Truro some slight provision was made, January 15, 1776.² The Cape, however, with all its exposedness and trials at home, must bear its full share of distant service. Gen. Washington calling for reënforcements, six regiments of 728 men each must now, January 18, be raised in the several counties of the province; and of the 4368 privates required, 260 must be furnished by the County of Barnstable.³ Again,

¹ The officers selected to command the forces at Martha's Vineyard and the Elizabeth Islands, were Barachiah Bassett, major; for company 1, Nathan Smith capt., Jeremiah Manter 1st lt., Fortunatus Bassett, 2d lt.; for comp. 2, Benj. Smith capt., Melatiah Davis 1st lt., James Shaw 2d lt.; for comp. 3, John Grannis capt., James Blossom 1st lt., Sam. Hallett 2d lt.; and for comp. 4, Elisha Nye capt., Steph. Nye Jr. 1st lt., and John Russell 2d lt.

² The following persons were elected and appointed by the court to be officers for a military company to be stationed at Truro for defence, viz.: Joseph Smith capt., Hezekiah Harden 1st lt., Seth Smith 2d lt., and Capt. Sam. Harden commissary.

³ The com. appointed to direct this duty here were Col. Otis and Col. Cobb. Barnstable and Plymouth Counties were conjointly to form one regiment of 732 men; and of this regiment under Col. Carey of Bridgewater, Maj. Barachiah Bassett of Falmouth was appointed lt. col., Thos. Hamilton of Chatham adj't, and Nath. Hall of Harwich surgeon's mate.

January 21, it was ordered "that a regiment of 728 men be raised to go to Canada." Many of the soldiers raised at this time, were as on all other occasions, Mashpee Indians. The employment of Indians in wars between civilized nations has generally been reprobated; but it must be remembered that the Mashpees were no longer '*savages*.'¹ They were regular and orderly *soldiers*; and excellent soldiers they were too—brave and enduring. They always acquitted themselves well, and during the entire contest were most valuable auxiliaries. No other people furnished in proportion to their numbers so many efficient soldiers.

That the restrictions laid upon commerce were be-

¹ The Abbé Raynal says, "Carlton tried, first to arm barbarous bands in Canada. They said, in answer to his solicitations, 'It is the dispute of a father with his children: we do not think it right for us to enter into this family squabble.' It was asked by the British, 'If the rebels come to attack Canada, will you not help us to drive them back?' The Indians replied, 'Ever since the peace, the hatchet has been buried forty fathoms deep; the helve of it is rotted, and we cannot use it.' The United States," continues the Abbé Raynal, "were not more fortunate: the Oneidas said, 'We have heard talk of some differences between Old and New England, but we shall never take part in such atrocious divisions—war between *brethren* is a new and strange thing; our traditions have left us no examples of this.' The *Mashpees alone* seemed to interest themselves in the cause of the Americans: said *these* good savages, 'There's 16 shillings for you—'tis all we have; we thought to have bought some rum with it, but we'll drink water and hunt—and when beasts fall by our arrows, we'll sell their skins and bring you the money.' But, in time, the active agents of Great Britain succeeded in conciliating to it many nations of these aborigines." Although the preceding quotation is discrepant in reference to the progress made by the Mashpees whom the learned and amiable foreigner supposes to be savages and yet relying on bows and arrows, still it is of interest as an exhibit of important historical facts. The auxiliaries of the British were acknowledgedly savages: the Indians who served in the American ranks were civilized men.

coming exceedingly irksome to many, is evident by frequent applications now made to the Gen. Court for permission to venture upon the seas, and by repeated complaints of a disregard by individuals of the resolutions of the Provincial and Continental Congresses.¹

The militia of this county was divided, January 31, into two regiments.² An act for carrying into execution a resolve of Congress "for ascertaining the number

¹ A petition of Benj. Crocker of Falmouth prayed that he and others having £700 due them at Tobago and Grenada might have leave to sail a vessel there and collect the same, he being master. The prayer was granted with restrictions under heavy bonds. A letter from Mr. Benj. Fessenden touching the sailing of a vessel to the W. Indies contrary to congressional orders, and enclosing a vote of the com. of cor. in Sandwich, was the subject of legislation; the vessel belonged in Falmouth. Representations were also made against certain persons in different parts of the province charged with loading vessels for the W. Indies and conveying produce of the colonies. Wellfleet and Barnstable were among those whose inhabitants were the subject of legislative inquiry on this charge. A proclamation prepared by a com. of both houses of the General Court, Jan. 23, set forth the justice of the American cause, and enjoined all possible aid from the whole people; also pronounced all and every who fail in this duty hostile to the country's best interests. This proclamation was ordered to be read by the clerks of every court of justice at the next opening of the same, and recommended to be read by all ministers of the gospel in their respective assemblies on the next Lord's day after its reception, immediately on the close of divine service.

² The Gen. Court elected the following field-officers for the respective regiments, viz.: for the 1st, including Barnstable, Sandwich, Yarmouth and Falmouth, Nath. Freeman col., Joseph Dimmick lt. col., Joshua Gray 1st major, Geo. Lewis 2d major; for the 2d reg't, including Harwich, Eastham, Chatham, Wellfleet, Truro and Provincetown, Joseph Doane col., Elisha Cobb lt. col., Zenas Winslow 1st maj., Gideon Freeman 2d maj. Dimmick declined in favor of Col. Enoch Hallett, and accepted the office of 1st maj. in the place of Gray who declined. Freeman Parker and Thos. Knowles were subsequently appointed adjutants.

of inhabitants" in each town was passed Feb. 15. Also, "upon application made by the Council of Safety in Charleston, S. C., permission was given by the General Court of Massachusetts to Capt. Robert Cockran to enlist a number of seamen, not exceeding 300, within the bounds of this colony, for the defence of South Carolina;" — a courtesy and evidence of fraternal sympathy that need not be forgotten.

As some faint intimation of the straits to which the colonies were sometimes driven in their struggle for liberty, it may here be mentioned that the committee appointed by the court "to contract for building ten armed sloops," was directed, February 16, "to suspend setting up more than half that number, since it (was) found to be impossible to procure iron, rigging, or other materials for the whole."¹

Silver and gold coin being much needed by the Continental Congress for the supply of that part of the army gone against Quebec, application was made by Congress to the General Court of this colony requesting that an effort might be made in the several towns to exchange continental bills for specie; a subscription was therefore ordered to be opened, February 14, "to give all persons willing, in this time of danger and distress, an opportunity to aid by the patriotic act "of exchanging

¹ Perhaps a more striking illustration of the economy called for, is, that the same day an order was passed that "inasmuch as the colony cannot be supplied with a sufficient quantity of *paper* for its own consumption without the particular care of the inhabitants in saving rags for the paper-mills, the committees of inspection and correspondence in the several towns are required immediately to appoint suitable agents to receive rags for the mills," and "furthermore, the court enjoin upon all people to be very careful in saving even the smallest quantity of rags as a further evidence of their disposition to promote the general good."

money for bills. Each person so disposed was requested to affix to his or her name the amount so exchanged. Cols. Otis and Doane were the committee for Barnstable County to canvass and receive the subscriptions."

A letter, February 19, "from the Hon. James Otis to the honorable Council, informed that on Saturday last a French vessel ran ashore on the south side of the Cape with upwards of one hundred hogsheads of molasses and other cargo. The goods were taken into custody, and the instructions of the Court were asked.¹

¹ The vessel "had a French master, and also an English master — a Nantucket man; and on board was one Mons. Le Baron, who had taken passage with the design of going to Philadelphia; appeared to be much of a gentleman, and said he had been more than twenty years in the King of Prussia's service; further, Le Baron alleged that both the French and English masters talked of going to Boston." The letter was communicated to the House, and "committed to Major Hawley, Col. Freeman, Capt. Batcheldor, and Mr. Davis, with such as may be joined by the Council." Subsequently, April 2, a "committee appointed to inquire of Mons. Le Baron de Woldlke, chevalier del ordre St. Jean Jerusalem de Malta, relative to the matter, reported, "That from the account of Le Baron there was reason to suppose the Frenchman designed to go to Boston with his cargo; but that upon his being heard in his own justification, and from the evidence of Capt. Folger, who left the West Indies but a few days before him, the committee are of opinion that it is best to give him up his papers, and permit him to sell his cargo. The committee are further of opinion that Mr. Otis, before whom Le Baron was examined, and by whom he was forwarded to the Council, had reason to suppose that the master had formed a design of going into Boston harbor, and that his Honor's conduct merits applause."

CHAPTER XXII.

Gen. Gage retires, and Howe is in Command. — Gen. Washington takes Possession of Boston. — The Council the Administration, with Hon. James Otis of Barnstable President. — The Cape Towns instruct their Representatives to obtain from the Continental Congress a Declaration of Independence. — Independence declared. — The Colonies reduced to great Straits. — Application from South Carolina. — British Transport-ship ashore. — Loyalists. — French Ship ashore. — Captures by the British. — Loyalists. — Ship ashore at Provincetown with Refugees. — Salt Manufactures. — Local Affairs. — New Constitution.

GENERAL GAGE left the province in 1775, and Boston being a garrison town, subject to martial law, the chief command devolved on Gen. Howe — the appearance only of a lieutenant governor and mandamus Council being kept up; but Howe, with his troops, men-of-war, &c., was reduced to the necessity of evacuating, March 17, 1776; and the same day a detachment from the army under Gen. Washington took possession. From this time until a new constitution or frame of government went into effect, which was not until October 25, 1780, all public concerns were, in the recess of the General Court, directed by the COUNCIL annually chosen under the charter granted in the third year of the reign of William and Mary. The eldest of the councillors present, it was determined should be the president of the Council¹ for the time being. Thus there was an *interregnum*, as it were, of five years.

The American army investing Boston had amounted

¹ Col. James Otis of Barnstable was president.

to 15,000 men; but these were in great measure destitute of suitable arms, ammunition, clothing, and experienced officers. The number was now soon increased to 20,000; and to encourage enlistments in the continental service unusual inducements were offered.¹ The crisis was so important that a day, extraordinary, for general Fasting and Prayer was appointed.²

Gen. Washington sent to the General Court, March 13, a letter enclosing sundry papers relative to a "transport-ship called the Friendship, Capt. James Holmes, cast ashore on the back of Cape Cod, February

¹ Gen. Washington having represented to the General Court the necessities of the army, requesting immediate assistance in procuring blankets for the soldiers, committees were appointed to repair to the selectmen of every town, and request their assistance in providing the same. The sum of £2600 was placed in the hands of these committees for the purpose. Capt. Amos Knowles Jr. of Eastham received the proportion for the County of Barnstable, viz., £190.9; and 203 men were required of the county — from Barnstable 45, Sandwich 40, Yarmouth 40, Harwich 40, Eastham 40, Wellfleet 18, Chatham 26, Falmouth 26. Maj. Hallett was, with Capt. Knowles, on this committee for this county.

² "It having been the laudable practice of this government to recommend and appoint days of fasting and prayer upon solemn and special occasions, beside the annual fasts; and as this Court apprehend that the present time is big with the most important events to this and other colonies, and that these events are in the hand of the Supreme Governor of the universe: therefore resolved, that the honorable Board be, and hereby are, desired to set apart Thursday, March 7, to be observed as a day of solemn humiliation and prayer, devoutly to implore of Almighty God that the vocal dispensations of Providence in the peculiar events that have lately taken place may be duly resented, and the great end for which they were designed happily accomplished; that He will also command His blessing upon our Councils and Arms in the present struggle with Great Britain for those inestimable rights, civil and religious, with which God and Nature has invested us, and made it our duty to endeavor at any hazard to hand down to posterity."

29;" desiring the court "to supply the camp" with sundry articles.¹ "A sloop loaded with English goods, household furniture, &c., having sailed from Boston to Halifax, with sundry Tories and a large number of women and children, some of whom were sick with small-pox, was cast ashore at Provincetown the last of March; the court appointed Colonel Freeman and others a committee to repair forthwith to the place and prevent the escape of the passengers and crew, and secure the vessel and cargo." This was effected, and the men were ordered to Boston for trial.²

¹ The selectmen of Truro were directed to aid the committee of correspondence, inspection, and safety, "in securing the remains of said ship, and to take care of the rigging and other appurtenances, as also of the provisions, powder, cannon, ammunition, and other stores on board, and to forward to the commissary, for Gen. Washington, the vinegar, boxes of tin, bolts of canvas, and kegs of paint, first causing them to be appraised." It was also recommended to the captors "to restore to Capt. H. his personal effects and private papers, including all the money found to be his private property." Holmes, taking advantage of the leniency of the court, demanded the greater part of the cargo. This led to a particular direction of the court, that their recommendation be understood to apply to his "clothing, cabin furniture, sea-books, cash, and private papers only — said Holmes making it appear that the cash was actually his — and not to any part of the cargo or stores."

² An incident is related as occurring about this time so characteristic of the American commander-in-chief that it may well be mentioned. A letter was sent by Gen. Howe, the British commander, to Gen. Washington, addressed "George Washington Esq." But the indignity was repelled; Gen. Washington refused to receive it. Another was sent, "George Washington, &c., &c., &c." He still declined receiving any communication unless addressed to him in his proper official character. Subsequently it appeared that Sir William Howe and Admiral Lord Howe were commissioned to propose terms of accommodation — offering pardon for the past by way of concession: but Washington said, "The Americans have taken up arms to defend their indisputable *rights*, and conscious of no guilt they *desire* no pardon."

The committee of Falmouth petitioned for a guard of soldiers to be placed on the Neck in that town, April 5. A letter also, April 8, from the committee of correspondence of the town of Eastham, informed the Court that "a member of the House of Representatives" was in Eastham endeavoring "to prevent the currency of the bills of credit of the United Colonies;" whereupon that member was ordered by the House to return to Boston and report himself forthwith. A letter also from Joseph Nye Esq. of Sandwich, to Col. Freeman of the House, was read, April 9, informing of "the arrival of a vessel at Barnstable after a short passage from the West Indies, passengers by which arrival reported that more than one half the American vessels that have sailed the present year have been taken by the armed vessels of the enemy;" also that "a large quantity of tea was imported in said vessel." A committee of inquiry was appointed;¹ also a committee to

¹ Joseph Nye and Seth Freeman Esqs. of Sandwich, and Joseph Nye Esq. of Harwich, were appointed to make inquisition in reference to the accusation against certain persons of being concerned in the importation of tea and English goods. At the same time, the committees in the several towns and plantations were directed to report to the court the names of all persons who may have violated in any manner the resolves of the Continental or Provincial Congresses, or resolves of the General Court; all who have acted against or opposed the rights and liberties of the country, or who signed or voted an address to Gen. Gage, approving of his errand or administration, since the dissolution of the General Court at Salem, 1774; or to Gov. Hutchinson after the arrival of Gen. Gage; or to Gen. Howe; or who have joined or promoted any association for joining or assisting the enemies of the continent; and of such as have fled from the country to the British army, fleet, or elsewhere; together with their respective crimes, accompanied with depositions; also to take an inventory of the estates of such persons — unless such persons shall have already given complete satisfaction to the public of their sincere

consider what restrictions need be imposed upon commerce.¹

Beating orders were now issued for enlisting a regiment of 728 men in the several counties "to defend and secure the town and harbor of Boston." It was also decreed that "one third part of the proceeds of captures made by vessels commissioned to cruise in quest of British property, be given to the captors." Letters of marque and reprisal had some time before been granted. Cruisers were also now employed "to guard the coast and restrain the sending of supplies to the enemy," as also "to intercept the enemy's store-ships arriving on the coast." A bill was passed "to carry into execution the resolve of Congress for disarming of persons who are disaffected to the cause of America." The courts of the county were, by special act, postponed from May to October on account of the small-pox being prevalent in Barnstable. A petition from Col. Freeman of Sandwich setting forth that he

contrition, thorough reformation, and firm attachment to the rights and interests of this and the other United Colonies of America.

¹ It was resolved at the same time, April 9, "Whereas it is apprehended that some of the inhabitants of this colony may be induced, from a regard to their own interest, to employ their vessels the ensuing season in the business of fishing; and, in order to avoid the inconveniences they may be exposed to by an Act of Parliament prohibiting all manner of trade and commerce with the thirteen United Colonies, and declaring forfeited all such vessels, cargoes, &c., may think to make over their property in their vessels to some inhabitants of Nova Scotia: to the intent therefore that none may unwarily enter upon such a method of conduct, it is Resolved, That if any inhabitant of this colony shall upon any pretence whatever transfer his property in any vessel to any inhabitant of the Province of Nova Scotia, he will thereby violate a resolve of the Congress prohibiting all intercourse with the inhabitants of that province, and may expect to be required to submit to the pains and penalties due to such offence."

and others received funds from the public treasury for the purchase of cannon for the use of the forces at Tarpaulin Cove, and asking for instruction in regard to a balance yet remaining on hand, was referred, and the balance of £51.2 paid.

It having been recommended by the Continental Congress to *encourage the manufacture of SALT*, and documents having been transmitted setting forth the importance of its being attempted in this colony, the General Court also recommended "to the inhabitants of the several seaport towns to use their utmost endeavors" to attain the end so desirable.

The Council sent down to the House, May 1, the following: "Whereas it is represented to this court, that a *navigable CANAL* may, without much difficulty, be cut through the isthmus which separates Buzzard's Bay and Barnstable Bay, whereby the hazardous navigation around Cape Cod both by reason of the enemy and the shoals may be prevented, and a safe communication between this colony and the Southern colonies be so far secured: Therefore be it resolved that James Bowdoin and William Sever Esqs. with such as the House shall join, or a major part of them, be a committee to repair to the town of Sandwich and view the premises, and determine whether the cutting of a canal as aforesaid be practicable; and they are hereby authorized to employ any necessary assistance of surveyors and engineers for the purpose." Col. Freeman, Brig. Godfrey, and Mr. Cushing were joined on the part of the House.

It was proposed in the House of Representatives, May 9, "that the several towns in the colony be recommended to give instructions to their representatives with respect to a Declaration by Congress of the Inde-

pendence of the United Colonies ;” and, the following day, it was “Resolved, as the opinion of this House, that the inhabitants of each town in this colony, ought, in full meeting warned for the purpose, to advise the person or persons who shall be chosen to represent them in the next General Court, whether, if the honorable Congress shall, for the safety of the colonies, declare them independent of the kingdom of Great Britain, they the said inhabitants will solemnly engage with their lives and fortunes to support Congress in the measure.” The towns generally instructed their representatives to use their influence to obtain from the Continental Congress such declaration, and pledged themselves accordingly. We say the towns generally, did this: the one *only* exception we may have occasion to notice hereafter.¹

¹ The right of instructing those chosen to be members of a deliberative body, whose duties involve an interchange of opinions, and free and full discussion for securing greater circumspection in the final action that shall determine what is for the greatest good, was evidently a question which at this early and eventful period occasioned some diversity of judgment. Hence, it would seem the proposition made the previous day to instruct, was by the final action on the succeeding day so modified as to secure for the representative a knowledge of the fact whether his constituents will, or will not, sustain Congress in the measure contemplated, should it be adopted. The measure in contemplation was one of amazing moment, and called for unity of feeling and resolve. The wariness with which the subject was approached — the assembling of the inhabitants of each town in full meeting warned for the purpose to advise whether, if the Congress shall, moved by a regard for the safety of the colonies, declare them independent, the inhabitants will solemnly engage to support the measure — excites our admiration, and is worthy of all commendation. That the doctrine of the right of instruction was held to be valid by the great majority is clear ; for in the town meetings the right seems never to have been disputed, and subsequently, at various times, opposing parties acted unhesitatingly in the presumption of its validity.

The controversy was henceforward not for *constitutional liberty*, but for *independence*; and a motion was made in Congress to this effect, June 7, by Rd. Henry Lee of Virginia, whereupon a committee consisting of Jefferson, Adams, Franklin, Sherman and Livingston, was appointed to prepare a DECLARATION OF INDEPENDENCE. The draft being made, such declaration was, after full discussion, adopted, signed, and promulgated.

Whilst these proceedings were being had, a company of 100 men were enlisted to serve on Martha's Vineyard — "to pass muster before Maj. Joseph Dimmick and to be under the command of Maj. Barachiah Bassett — for the defence of the island." It was also ordered by the General Court, "that the selectmen of Sandwich be paid £4 18s. 2d. for barracks, wood, cartridges, powder, and flints furnished." Also, "that 600 cwt. of cannon balls be supplied to Truro." It was further ordered, June 25, "that 5000 men be raised in this colony to coöperate with the continental troops in Canada and New York." And, July 2, it was "recommended to the inhabitants generally, it being an object of great importance to the defence of the colony, to give up their leaden window-weights to be cast into bullets." "Clothing for the army," was often required; and the urgent demand was now for "coats, waistcoats, breeches, felt-hats, shirts, hose, and shoes."¹

From the present period, July 4, 1776, the national existence of THE UNITED STATES, properly so called, commenced. The annals of the world do not furnish another instance of a nation rising in so short a space of time from its first settlement, to an equal degree of intelligence, power, and inflexible resolve for liberty or death.

¹ For the procuring of these in Barnstable County, Joseph Nye Esq. of Harwich was appointed by the General Court.

The progress made is no doubt to be attributed chiefly to the fact that the first settlers were emigrants from countries advanced in civilization and under the administration of laws efficient and generally wise and good; and that a large portion of the leading men who came were distinguished for intelligence, enterprise and virtue. Hence, they not only brought with them the arts of civilized life, but paid great attention to the promotion of education; and however much it is to be regretted that at the first many were intolerant in their religious views, still a predominant respect for religion, and the practice of morality and piety, preluded right views of liberty, civil and religious, in the end.

A resolve was passed by the General Court, July 10, "to draft every 25th man" to reënforce the northern army — "a measure of the last consequence to the safety of the United States." Amos Knowles Jr. of Eastham, and Joseph Nye Esq. of Sandwich, were appointed agents for this county, "to see that the resolve is carried into effect." Truro was excused from furnishing its quota. A solemn Fast was recommended to be observed the last day of July.

These were, indeed, times of great exactions and of amazing solicitude; but of unflinching patriotism. It was now ordered, Sept. 10, "that one fifth part of the entire militia of this state be drafted at once to reënforce the army;" and precepts to that effect were issued to the brigadiers of the several counties, this included. It was also required that they be furnished "with each a good firelock, bullet-pouch, and powder-horn or cartridge-box, bayonet, cutlass or hatchet, 20 bullets fitted to their gun, knapsacks and blankets." The men drafted from the Barnstable County brigade were, by subsequent act, ordered to Rhode Island instead of New York.

Joseph Nye and others were appointed agents to purchase 60 whale-boats with oars, to be delivered at Falmouth or some convenient point on the Buzzard's Bay to convey the troops to Rhode Island, and £360 was appropriated for these purchases.

The committees for procuring clothing for the army were again directed, Nov. 2, "to procure 20,000 woollen jackets with sleeves, 20,000 shirts, 10,000 blankets, 10,000 felt hats or leather caps, 20,000 pair of hose, 20,000 pair of shoes, and 10,000 overalls." A general embargo on vessels was laid, Dec. 7. A convention "to regulate the public currencies and for various other purposes, prices included," was proposed; an order was also passed "for numbering the male inhabitants above 16 years of age." Authentic accounts being received of the arrival of a large number of the enemy's ships-of-war and transports, in Newport harbor, a portion of the militia of this county were ordered thither, Dec. 9, subject to the direction of Gen. Lincoln. The annual public Thanksgiving was appointed by the Council, at the desire of the House of Representatives, to be observed Dec. 12.¹

¹ From the proclamation, we make an abstract, as additionally suggestive of the feeling of the moment: "With grateful devotion to offer solemn praises to the all-gracious Author of every good, for the various invaluable benefits conferred on and continued to this state in particular and to the United States in general; especially that, whilst British avarice openly claims and British tyranny vigorously endeavors to wrest from us the free exercise of those rights which Heaven alike bestowed on all mankind and without which human life is less a favor than the grave, He has given these states a just sense of their worth and of the impossibility of assigning those rights to man without the guilt of rebellion against God, treason to the present and treachery to all future generations; that He has united these states in a resolved vindication of those rights, even to the last extremity; has given them a general council of patriots wise to direct; raised up generals faithful

At the opening of the year 1777, unprecedented were the privations and sufferings of this whole community. Unfortunately, in some instances, neighbors and kindred were yet involved in political animosities. The man of traffic found his vocation gone. The agriculturist, few were these, might plant; but might he cultivate?—might sow; but what assurance had he that the next levy would not preclude his reaping? This entire county whose lords were chiefly mariners, and whose chief estates were at the water's edge, was held in a condition of most anxious suspense. The whole length of its sea-coast under the surveillance of British cruisers,

to execute the measures necessary for their defence; and animated so many of the sons of America to grasp the sword and with manly cheerfulness endure the fatigues of war in support of that freedom which is the birthright of all; has led them by the hand from step to step till we have seen these states, compelled through oppression, to assert their native right to freedom and independence in a united declaration which the impartial world must justify; . . . has wafted to our shores most valuable cargoes of warlike and other stores necessary for our defence and support at the very time when most needed; returned our adventurers on the sea generally enriched and victorious; detected very dangerous conspiracies when at the crisis of their execution; . . . and to add fervent prayers . . . that our public councils and the general congress in particular may be inspired with wisdom, unanimity and firmness . . . that our brethren every where may be spirited to take the field, when called in so great a cause; that all the movements of our armies may be ordered in divine mercy, and that they may be victorious in every engagement; that our foes may be defeated in all their hostile designs, driven from our land, and permitted no more, either by bribery or corruption to sap our civil and religious rights, or by fire and sword to waste and destroy; that peace may be restored on a just and permanent basis, and the rights and liberties of America secured to the latest generation; that this people may be placed under the wisest and best form of government; that the union of the American states may be established by a confederation never to be dissolved: that the Spirit of God may be plentifully poured out, and a universal reformation of heart and life ensue. . . .”

the fisheries and all commerce were completely obstructed. Embargo enactments were unnecessary to effect this now. The bone and muscle of the Cape, whose yearnings were most naturally towards the seas, must needs see their craft rotting at the moorings, or betake themselves to privateering¹ — peradventure must abandon the idea even of this resort, and take their turn in the continental service ashore wherever they were called — leaving their families to be provided for by neighbors whose hands, to be sure, they were well satisfied, were always open when claims upon their sympathy were known. Doubtless there would, in some instances, have been less reluctance felt at the leaving of home for a perilous service had there been as complete assurance that the *ability* to afford relief would never fail, as there was that the kindly sympathy would remain. It is creditable to the Cape that there was a disposition to effect that assurance, and that in so

¹ The alternative was not always rejected, though sometimes embraced at sorrowful cost. The British prison-ships' inhumanity is a tale that can never be written in shades dark enough to depict the reality. The condition of such as became captured, was in too many instances made revolting beyond description, their sufferings having scarcely a parallel in the annals of cruelty. Full many of the sufferers were from the Cape; but it is matter of gratulation even at the present day, that none of these, so far as known, were backward to spurn the offer of release and promotion on condition that they would join the royal party; preferring even a noisome dungeon and death itself, to the dishonor of deserting the cause of liberty. Nor were those who essayed to do service to their country upon the seas, always foiled. They were often greatly successful. Swift-sailing American privateers had at the above date, since the middle of 1776, not only scoured every sea, even those of the British Islands; but had already captured no less than 500 British vessels. The English government itself acknowledged that notwithstanding the magnitude and vigilance of its navy, these letters of marque had "perpetrated depredations upon British commerce that were enormous."

many instances the people were ready in open town-meeting to unite in a public pledge that "the town will provide" for the families of the valorous absent. At best, however, these were trying times.¹ The poor — the poor were indeed among us! Noble the fortitude, the patience, the never-yielding patriotism, that in the hour of such depression endured. The *conviction* of RIGHT *so strong*, tyranny itself must own

"who'd force the soul, tilts with a straw
Against a champion cased in adamant."

We are already weary with reciting the requisitions that were constantly made² and the privations endured,

¹ The expense of the war thus far had been truly onerous. The country was burdened with debt. The proposition this year to raise five millions of dollars, as recommended by the General Congress, was startling. This sum was to be furnished in the following proportions:—

Mass., \$820,000	Md., \$520,000	N. H. & N. Y., 200,000 ea.
Va., 800,000	S. C., 500,000	R. I., 100,000
Pa., 620,000	N. J., 270,000	Ga., 60,000
Ct., 600,000	N. C., 250,000	Del., 60,000

² The militia officers in Falmouth were directed, Jan. 1, to detach from the several companies in that town, 25 able-bodied men, including 1 lt., 2 serjeants, and 2 corporals, to be stationed at Naushon for the defence of the harbor of Tarpaulin Cove. Subsequently, it was ordered that 53 men be enlisted for the same purpose. Again, Jan. 20, 5000 blankets were demanded for the army, of which this county was to supply 160, viz.: Barnstable 32, Sandwich 25, Yarmouth 23, Eastham 17, Wellfleet 13, Chatham 9, Harwich 20, Falmouth 19, and Truro 11. And Jan. 26, a resolve passed requiring the drafting of "every 7th man to furnish the state's quota for the continental army," i. e. a number amounting to one seventh part of "all the male inhabitants over 16 years of age *whether at home or abroad*." This, of course, bore peculiarly hard upon a community made up so largely of seamen. The extraordinary number of 88 battalions to serve during the war, or for the term of 3 years, were to be raised by the United Colonies; of which 15 battalions were the share of Massachusetts

and must in some measure stay our pen touching these matters lest we also weary the reader. And yet some reference to them is necessary to any adequate view of the subject. We have intimated in the preceding pages, that notwithstanding all that might have been expected to unite the people as one in the common cause, there existed some diversity of opinion and contrariety of action and feeling. In fact, there remained those whose sympathies were with the cause of the oppressor, whilst a yet larger number were too little animated with the spirit of true patriotism. So serious were the difficulties arising from these causes, that the interposition of the General Court became necessary not alone to check the traitorous movements of individuals whose rendezvous was on the islands, but to arrest the spirit of insubordination in some of the towns. Action of the General Court was at this juncture had "relative to animosities subsisting at Sandwich and Barnstable," viz.: "Whereas it has been represented to this court by the selectmen, committee of correspondence, and military officers of the town of Sandwich, that divers persons in said town" [thirteen persons are specified, whose names we here suppress agreeably to an intention before intimated — especially as the omission compromises nothing essential to history] "who were drafted under a late act

Bay. The country had become convinced of the impolicy of short enlistments. The whole arrangement was expected to be completed on or before the 1st of March. In view of this requisition, it was thought expedient to issue an address to be sent to each minister of the gospel within the State with a request that he would read it to the people the first Sunday after its reception; also to be sent to each commander of a military company to be read to his company under arms. It was also required that an equal proportion of shoes, stockings, and shirts be furnished; and Joseph Otis Esq. was appointed the receiver of the same for this county.

entitled 'An act for providing a reënforcement to the American army,' and refused to march agreeable to the orders given, were thereupon in conformity to said act ordered to jail in said county; and, being countenanced, aided and abetted by divers like ill-minded persons in the town of Barnstable, made their escape from the custody of the keeper of said jail without paying their fines or being regularly discharged: therefore, resolved, that the sheriff of the county, without delay apprehend the bodies of the said (persons), or so many of them as have not since paid their fine, and them commit to the jail and retain in close custody until they fully comply with the act aforesaid; and in case he shall meet with any opposition in the execution of his office, make return to this court of the names of all such as thus offend that they may be dealt with as the nature and aggravation of their offences may require. Also resolved that in case any of the said delinquents have since paid their fines, the same be improved to refund so much as has been expended in hiring men to go in their stead, in coming to this court with a memorial of their conduct, and also the expenses of the jailer's attendance here — the remainder to be disposed of according to said act." ¹

¹ Connected with, and immediately following the preceding, was this also: "And whereas Nath. Freeman Esq. hath petitioned that a committee of this court may be sent into the county to inquire into the true state of the facts relative to a petition from the town of Barnstable against Joseph Otis Esq. and himself; together with said Otis and Freeman's memorial or answer thereto, and also several petitions from civil and military officers, &c.: and whereas great contentions, animosities and differences have of late prevailed in the towns of Sandwich and Barnstable: and whereas the selectmen &c. of the town of Sandwich have in their memorial to this court represented that great difficulties have arisen and many impediments are thrown in the way of

The preceding gives sufficient intimation of the nature of the "animosities" to which reference is made in the title of the act and resolves. On the 7th of February further action was had; it was "voted that 'Whereas this court is informed that divers persons inimical to the rights, liberties, and happiness of the United States, have concerted and are endeavoring to carry into execution plans highly injurious and detrimental; it is necessary that a sum of money be lodged in the hands of a committee, to be applied in the most secret manner, according to their discretion, for the discovery thereof: therefore, resolved, that the sum of £200 be granted and paid out of the public treasury to James Warren, Aaron Wood and Samuel Freeman Esqs. who are appointed a committee for the above purpose, and who are authorized to dispose of the same accordingly, and hereafter account with this court for the expenditure thereof."

raising the men ordered to be drafted from the militia of that town for the defence of the United States, by some ill-minded persons in that town and the town of Barnstable: therefore resolved, that Samuel Holten, John Pitts, and Wm. Story Esqs. be a committee to repair to the towns of Sandwich and Barnstable, whose business it shall be to inquire particularly into the causes of the difficulties, and ascertain who are the authors of them; and in general to endeavor to discover the grounds and reasons of the discontents, animosities and uneasinesses that of late have prevailed in said towns, and which in part have for some time prevented the due execution of the laws &c. to the detriment of the righteous cause in which we are engaged; and the said committee are hereby empowered to send for persons and papers for this purpose." John Taylor Esq. was substituted on this committee in place of Samuel Holten, Feb. 5. The expenses attending the commission were £41 8, and 3 sixths part of this sum was by order of the court added to the tax of Barnstable, 2 sixths to that of Sandwich, and 1 sixth to that of Yarmouth. Joseph Otis Esq. was muster and pay master for the troops furnished by this county.

A "new constitution of government" being thought advisable, the towns were recommended, May 5, "to instruct their representatives to propose such constitution and form of government to be submitted to the popular vote." Orders were issued, June 24, for drafting "1500 men to march to Rhode Island." The number apportioned to this county was 88.¹ Again, July 4,

¹ A requisition was again made, subsequently, for the defence of Rhode Island, and a considerable portion of the militia of this county were in actual service in that State during the autumn months under the command of Col. Freeman. A very imperfect view of the service performed by the militia of this county is had from the public resolves. A manuscript "order-book" is before us giving some idea of the detail of the duties of the service in Rhode Island and of the fatigues and incessant vigilance required. A recital of the events of one short month alone from Oct. 3, would make a volume full of interest. As a few extracts may present a more vivid impression of the toils to which even the militia were subjected at this eventful crisis, as also an inkling of the internal difficulties that were encountered, we subjoin:—

"Head Quarters near Howland's Ferry, Oct. 3, 1777.

"Parole, Spooner; countersign, Lovell. *General Orders* :

"As it is certain that the enemy are busily employed in throwing up works on the island, and as advice is received that they are meditating a descent upon us, it demands our close attention to prevent any surprise. If the general cause of freedom and the happiness of mankind (in the idea of which every thing personally dear to us is involved) is a cause favored of Heaven, then we may humbly hope for His favor; but it must not be expected unless our conduct is spirited and orderly. The commanders of brigades, regiments, and companies, will therefore cause a very careful review of arms and accoutrements so as to be able to march on the notice of any single hour. They will impress upon the minds of all inferior officers and privates," &c. &c. . . . "The chief surgeons of the several regiments will," &c. &c. . . . "The commanders of regiments will set guards upon the heights and roads which are exposed to the view of the enemy, to prevent any unnecessary exposure of such numbers as may lead the enemy to suspect our designs, and no more than ten men will be permitted to pass together without the general permit. . . . As the call to action will be sudden, the general

an effort was made "to encourage the manufacture of salt;" and the General Court decreed that "a bounty of 3s. per bushel be paid out of the State treasury for

expects that all will be ready on the shortest notice, and he doubts not they will act as spirited and brave as our brethren in the action near Bennington and every way worthy of the great cause of liberty."

"Taunton, Oct. 6, 1777.

"Parole, Sherburne; C. sign, Elliot. *Regimental Orders*: [for Col. Freeman's regt.]

"The several captains are to take particular care to size their men and march them on grand parade at 9 o'clock A. M. and at 5 P. M., with drummers and fifers, both officers and men duly equipped. . . . They will be careful to exercise their men twice a day. The adjutant will cause a reveille to beat at daybreak, the troop at 9 o'clock, the retreat at 5, and the tattoo at 8; and will be careful to exercise both officers and men," &c. &c.

"*Brigade Orders*: Col. Freeman's regiment to furnish a fatigue party to-morrow, consisting of one capt., 2 sub., 2 serg., 4 cor., 1 drum, 1 fife, and 70 privates, to be at the fort near Howland's Ferry by 8 o'clock." — "By General Orders of yesterday, the Hon. Major Gen. Spencer has directed the brigadiers from the State of Massachusetts Bay to send for all drafted persons who have not joined their respective regiments or are absent without leave, that they may be dealt with as deserters. In obedience to said General Orders, Brig. Gen. Lovel directs Col. Freeman to send without delay to the commanding officers of the several regiments of militia to which such absent persons belong that they may immediately send them to head quarters." . . . "Col. Freeman's regiment to send 100 boatmen to Dartmouth properly officered, to march immediately with three days' provisions."

"Tiverton, Oct. 7, 1777.

"Parole, Connecticut; C. sign, Trumbull. *Brigade Orders*:

"Col. Freeman's regiment to furnish a picquet consisting of 1 capt., 2 sub., 4 serg., 4 cor., and 50 privates to march to Howland's Ferry this evening to parade at the general's at 8 o'clock."

We regret to find in this connection evidence that all (though our own county was not singular in this respect) were not so ready and patriotic as they should have been, in joining their respective companies when drafted: Col. Freeman received orders, Oct. 8, "to repair

salt manufactured within the State and produced from sea-water." And "in view of the serious aspect of war affairs, especially on the frontiers," where savages were

without delay to the County of Barnstable to have taken up such delinquents as being drafted have not joined the regiment, that they may be forwarded to the camp as soon as possible : " a necessity involving of course displeasure on the part of the unpatriotic in whose view a stern discharge of duty would be regarded as personal offence. It is gratifying to find the acknowledgment from head quarters in a few days that "the general is rejoiced to hear that a noble and patriotic spirit has induced a number of brave men to join as volunteers."

"Oct. 9: Col. F.'s regt. to furnish the picquet to-morrow; 2 cap., 4 sub., 8 serg., 8 cor., and 100 rank and file, at sundown." —

"Oct. 13: directed that a party of oarsmen be formed out of Col. F.'s regt., to be at Howland's Ferry at 7 P. M., 1 cap., 3 sub., 4 serg., 4 cor., 100 rank and file; also for the picquet to-night from the same regiment, 2 cap., 4 sub., 8 serg., 8 cor., and 100 rank and file."

"Head Quarters, Oct. 14, 1777.

"Parole, Freeman; C. sign, Crafts. *General Order* :

"Major John Handy is appointed to do the duty of brigade major for the brigade commanded by Col. Commandant Sherburne.

"*Brigade Orders*: Col. F.'s regiment to furnish 2 capt., 2 sub., 4 serg., 4 cor., and 81 rank and file to serve as an advance guard to the brigade; also 2 sub., 2 serg., and 28 rank and file as a flank guard ditto; the regt. to form platoons consisting of 32 in front properly officered."

"Head Quarters, Tiverton, Oct. 15, 1777.

"Parole, Crafts; C. sign, Freeman. *Gen. Orders* : . . .

"*Brigade Orders*: Col. Freeman's and Col. Robertson's regts. will march undiscovered down to Little Compton this night, where Col. Hawes' troops are quartered, to be in a body as near as possible. They will march with as much caution as possible."

"*General Orders, 2d.*: Determined to make trial to dispossess the enemy of R. Island; . . . the time draws near that must determine the character for bravery — the valor of the eastern militia of these states; and in all probability the time is hastening that will determine the fate of the United States of America for ages yet unborn. . . ."

"Oct. 16, *Brigade Orders*: That the officers in command of the advance guard furnish themselves with 60 oarsmen, one half to be at

employed by the enemy to ply the horrid work of indiscriminate butchery, it was thought expedient to appoint an extra day for fasting, humiliation and prayer

Quaket Pond by sunset. The brigade will furnish 128 boatmen for the body, which the commanding officer of each regiment will see to; and the brigade will march down near the mill going over to Fogland Ferry, by 10 o'clock this evening without fail; . . . 60 men of the main body will parade at Quaket Pond with those from the advance guard about sunset." "Oct. 18: . . . the officers . . . to distribute the *buck-shot* . . . to the front guard." . . . "Oct. 19: That the brigade parade by 8 o'clock this evening . . . in the way by the lane to Fogland Ferry . . . will immediately march to the place of embarkment. . . . That 100 oarsmen be at Quaket at 4 o'clock P. M. from the main body; and 10 men at the creek before sunset to take charge of the scow and one boat at that place." . . . "Oct. 20: Col. F.'s regt. to relieve guard at Punkateese Creek to-morrow at 9 o'clock; 1 cap., 2 sub., 2 serg., 2 cor., 50 rank and file." "Oct. 21: *Regimental Orders*: Lt. Baker to take command of Capt. Lewis' company, he being dismissed unfit for service; and Lt. Howland to act as 1st Lt., and Allen Crocker as 2d Lt. until further orders." "Oct. 22: Capt. Higgins to join Capt. Lewis' company and take command." At this juncture a court martial adjudged certain delinquents liable for desertion, all of Capt. Allen's company in Col. Cotton's regt. "Oct. 23: *Brigade Orders*: That the oarsmen immediately repair to their boats at the creek, and assist in getting the boats from Punkateese to another creek about a quarter of a mile above; and that the whole brigade parade at the Four Corners by 11 o'clock this night, equipped with every necessary for an attack upon the Island." . . .

"Head Quarters, Tiverton, Oct. 25, 1777.

"Parole, Gates; C. sign, Lincoln. *Gen. Orders*:

"A general court martial to sit this day at 8 o'clock to try such persons as shall be brought before them. Col. Freeman, president; Capt. Plympton, judge advocate."

It would occupy too much space here to recount the repetition of orders; the commendations bestowed by the general in command on the soldier-like manner of the troops, and the alertness of the boatmen when called out; his confidence expressed that the brave army will persevere with patience and resolution until Providence shall give a

to be observed with all due solemnity on the 28th of August. The board of war was requested, Aug. 17, "to furnish field-pieces and ammunition for the defence of Truro;" and it was ordered "that a company be raised in Truro and adjoining towns to be constantly in practice to be ready at all times" to prevent all intercourse with the British men-of-war in Cape Cod harbor or elsewhere, as well as for protection.

Happily a gleam of light at last appeared in the horizon enabling the court, Oct. 22, to unite in a public acknowledgment of the divine goodness. The capture of Burgoyne and his army was a grand event.¹

Until the present year the colonies had really been united in no bond but that of common danger and common love of liberty. Congress resolved to render the terms of this union more definite, and to ascertain and

suitable season to prosecute the design, &c. &c. Oct. 25, Capt. Higgins who had command of Capt. Lewis' company, being also sick, Lt. Baker was directed to take command of the company from Barnstable; and Capt. Higgins' company, consisting of men from Chatham, Wellfleet and Eastham were joined to Capt. Bangs' company.

¹ "Whereas we have received authentic intelligence of the defeat and surrender of Gen. Burgoyne and his army to our forces under the command of Gen. Gates; and whereas such an important event and remarkable appearance of divine Providence in favor of this state and the United States calls for an immediate acknowledgment of gratitude, praise and thanksgiving: therefore be it resolved, that the Rev. N. Cooper, chaplain of the General Court now sitting, be, and he hereby is, requested to attend the court to the Old Brick Meeting-House, to-morrow at 11 o'clock A. M., to acknowledge the divine goodness, and to offer by prayer a tribute of praise and thanksgiving to Him who governs the universe and whose is the glory and the victory; and that the Rev. Dr. Chauncey be also desired to preach a sermon suitable to the occasion. Also that the commanding officers of the fortresses at Castle Island and Fort Hill, be, and hereby are, directed to fire each 13 cannon, at 1 o'clock P. M."—A resolve was also passed by the House requesting the hon. Council to appoint a general thanksgiving to be observed Nov. 20.

define the rights and duties of the several colonies and their mutual obligations to each other. "Articles of Confederation and Perpetual Union," providing that the United Colonies as hitherto generally called should assume the name of "THE UNITED STATES OF AMERICA;" and defining the sovereignty, freedom and independence of each — each to retain every power, jurisdiction and right that was not by the Confederation expressly delegated to the United States in Congress assembled, — proposed a firm league for mutual defence. The articles further determined the powers of Congress, the mode of raising money, and, generally, all measures for government defence. These articles were adopted, and having been transmitted to the several State legislatures and approved, were ratified Nov. 15.

CHAPTER XXIII.

New Constitution. — Refugees. — Requisitions for the Army. — Home Defences. — Tories. — Ship Somerset. — Depredations by the Enemy. — Reënlistments for the Army. — General Distress. — Decease of Col. Otis. — Magee Storm. — Alliance with France. — Vigilance to counteract the Designs of Tories. — Prices regulated. — Gloomy Aspect. — Grievous Exactions. — Dissensions. — State Constitution. — Requisitions and Defences. — Importance of the Fisheries. — A dark Hour. — Cessation of Hostilities. — Peace. — Effect. — Decease of James Otis Jr.

THE new Constitution and Form of Government went into operation, March 4, 1778. Requisitions for soldiers, supplies, &c.,¹ for the army, and also for coast defences; various domestic difficulties,² and local legislation,³ occupied much of the time of the General

¹ The people at large were requested, March 8, "to collect voluntarily," within their respective towns, donations of shirts, shoes, and stockings, for the army. Money also was raised freely in the several towns to encourage enlistments in the continental service.

² The small-pox raging in Boston, the General Court adjourned to Roxbury; and, April 8, smoke-houses were provided at the Roxbury line, at Winisimet Ferry, and at Charlestown Neck, "to cleanse all persons passing from the town of Boston by causing them to be smoked as also all papers in their possession, money, baggage, &c." In a few days the directions given were found inefficient — some who had been exposed to the infection refusing to be smoked; and "it being necessary to prevent the spreading of the contagion that the rules be observed," a heavy penalty was annexed for every violation.

³ It was found necessary, March 23, by special act to provide for suspending the regular holding of the courts in this county, sundry of the justices and officers of these courts being members of the General Court, and "matters of great importance requiring their attendance." Adjournments by special legislation were frequently necessary,

Court, and continued to engross a large share of the attention of the people of this county. Legislation touching the estates of persons who, sympathizing with the enemy, had fled the country; or in relation to the requests of those who, having fled, were either desirous of returning, or of being joined by their families, were very common. Some whose persistency hitherto in refusing the oath of allegiance, and whose generally unfriendly course in regard to all patriotic movements, had marked them as "enemies of their country," became at last desirous of giving in their adhesion; but whether from a conviction of their error, or simply to escape disabilities and perhaps banishment, was a question that demanded rigid scrutiny.¹ One thing is

the officers, the jurors, and people having business in the same, being, much of the time, so occupied in public business devising measures for the salvation of the country, or occupied incessantly and absolutely in means of defence against a common enemy, that repeated provisions by the legislature for holding the courts out of the usual course were necessary during the whole period of the revolution.

¹ We regret being obliged to say that some portions of this, as a whole, most patriotic and energetic county, came in for a full share of such legislation. In determining as carefully as is consistent with truthfulness to avoid all personalities of an invidious nature, we have not been unmindful of the question, whether the withholding names of those who became refugees, or who, remaining in the colony, were regarded as tories, may not leave curiosity reaching still uninformed perhaps to the discredit of the invariably patriotic? This apprehension certainly cannot extend to any who were boldly and prominently sons of liberty: they were too active and well known not to have left their mark upon the age. We do not fear, indeed, that *any* persons will suffer by the omission, nor do we conceive that it is essential to the cause of history — which should be strictly a narration of facts and events — that *biography* should in all instances accompany it. If any, however, wish our determination were otherwise, we can but say the advice of the Wise, "Be not curious in unnecessary matters," Ecclus. iii. 23, commends itself to our consideration.

very evident: the impression began to fasten upon the minds of all that no retrograde movement on the part of the friends of freedom could be expected, and that, however the contest might be prolonged, the determination was liberty or death. It is more than we dare assert, that there were no instances of suspicion engendered by vague or trivial causes; no cases of peculiar hardship; no instances of accusation the evidences leading to which were not magnified or distorted by the undue influence of personal pique:¹ but *this* we may confidently claim, that after a full examination, as we think impartially conducted, there is apparent a general desire on the part of the dominant party to be kindly lenient, and so to administer for the safety of the cause as neither to endanger it by relaxing their vigilance, nor to be unnecessarily exacting. The proof

¹ Indeed, at a later stage of the struggle, there was some momentary dissension among the whigs themselves, as we shall have occasion to notice. "To err is human." That there was *almost* perfect unanimity of feeling and action to the very last among the majority, is proof of the equity of their cause, and can be referred only to the goodness of an overruling Providence. The only instance that has fallen under our observation in all the history of the revolutionary period of an approximation to magnify supposed delinquencies in this county, and which *may* have been caused by misapprehension on the part of some, growing out of the personal relations towards each other of two prominent individuals in the same town, was that in case of a petition numerously supported, and at this time before the General Court, complaining of the political course of an influential and highly respectable citizen, he being a representative, and praying "that he be excluded from the public *counsels* forever." This has been adverted to page 480. How much of private pique entered into this proceeding, it is not for us here to say. Suffice it, at present, to remark that there are considerations entitled to respect that seem to qualify this particular complaint, and that subsequent events attest the patriotism of the gentleman whose principles and action had been impugned.

of this is clear and satisfactory. It is, to be sure, painful at this remote day to contemplate the mortification to which not a few, by their own act, had subjected themselves.¹ To feel constrained at last to turn back from the pursuit of royal favor, and to become humble suppliants at the doors of neighbors and fellow-citizens whose patriotism they had reviled, whose measures for the general good they had opposed, and whose toil and sacrifice they had confidently hoped would end in discomfiture, must have been humiliating. Better so, than that a cause so great and

¹ Sundry persons, inhabitants of the town of Sandwich, "who were committed for refusing to take the oath of allegiance and fidelity, having made application to the court, confessing their error," the court felt constrained, March 13, to refer the matter to the decision of the committee of correspondence, inspection and safety of said town. That committee, consisting of Col. Freeman, Stephen Nye, and Seth Freeman Esqs., Simeon Fish, Joseph Lawrence, and Micah Blackwell, evinced a commendable disposition to treat the application with lenity; but felt embarrassed by the consideration that certain of these petitioners had been notoriously "enemies" to the cause of liberty — one of them especially, "an old offender, son-in-law of the infamous Ruggles" — all of them more or less conspicuous by their former "hostility" to their country's freedom; and even the least exceptionable among them, with whom because of the general esteem in which he had been held as a neighbor the sympathies of the committee were peculiarly enlisted, and whose intelligence and position in society gave him much influence, had, when the Declaration of Independence was being read, "trooped scornfully and indignantly out of meeting." At a later day, these persons still remaining in Barnstable jail, the subject again came up, and after various correspondence and due concessions by the applicants, the order of court "that upon producing a certificate" from the aforesaid committee "that sd. com. believe they will now approve themselves faithful subjects of the State, truly and honestly conducting themselves in accordance with the plain intent and meaning of sd. oath of allegiance and fidelity, and giving bond and sureties to this effect, they shall be discharged from confinement and be permitted to take the oath" was complied with.

good should fail, and noble patriots stand as rebels at the gate of royalty,

“And humbly thus, with halters on their necks,
Expect His Highness’ doom of life or death.”

The State’s quota for the Continental army was found, April 17, to be yet incomplete, some of the towns having been derelict in duty.¹ “A penalty of £150” was determined “for every man found wanting.” It was further ordered, April 20, “to raise 1300 men additional for North River, and 200 additional for Rhode Island.” These were “to be marched severally to Peekskill and Providence forthwith.” The brigadier, or commanding officer in this county was instructed to “detach 70 men with proper officers to command, to

¹ One of these towns was Wellfleet; but this town, June 18, memorialized, setting forth the fact “that great numbers of its inhabitants had removed out of town, and that the circumstances of such as remained were those of distress.” One half its State tax was therefore abated. Gen. Joseph Otis had already, May 29, in a letter to the Council, made representations of the condition of the county on the entire of which exactions most onerous were constantly enforced without regard to its circumstances, and which was strangely expected to furnish its full quota of men, money, provisions, &c., as if its condition were in all respects equal to that of the most favored inland counties. Gen. Otis truly said, “We have more men in the land and sea service than our proportion. We have, from Wareham line, a sea-coast of 60 miles to Chatham, where there is scarcely a day that the enemy are not within gun-shot of some part of the coast, and they very often anchor in our harbors. Under these circumstances to detach men from their property, wives and children to protect the town of Providence in the heart of the State of Rhode Island, and not so much in danger, causes great uneasiness. Not a word is said against filling up the *Continental* army, although every man costs \$450, which is owing to our men that are fit for the service being aboard the navy or in captivity by being taken by the enemy’s fleet.”

Rhode Island.”¹ Again, June 12, it was ordered “to raise 1800 men for the defence of this State and Rhode Island.” This county was to furnish 78 of the number. “Shoes, stockings, shirts,” &c., were also included in the requisition; and a strong appeal was made to the public, that “as justice, humanity and every reasonable principle of the human heart urge the necessity of rendering the situation of our brethren who are risking their lives in the fields of battle for the defence of the country as comfortable as possible,” immediate and cheerful compliance should be made with the proposals for the supply of their necessities.² The number of each article of the above “necessaries” exacted of Barnstable County, was 505;³ and £30 was to be the forfeit for any delinquency.

Letters from the commanding officer in the county, Brigadier Otis, reported the defenceless state “of the islands, &c., in and around the county.” Some additional provisions were made by the court. It was also peremptorily ordered “that if difficulties still exist in procuring the quotas of men, by reason of the efforts of persons inimical to this State and to the United States, such persons must be punished and restrained.” It is very evident that although within the bounds of

¹ Barnstable to furnish 15, Yarmouth 14, Eastham and Harwich 12 each, Sandwich 8, Falmouth 6, Chatham, Wellfleet and Truro 5 each, including officers.

² Letters from Brig. Gen. Otis to the Council were read, June 18, “representing the difficulties in the way of carrying into effect the court’s resolves;” whereupon “it was at once recommended that effectual measures be taken for restraining and punishing persons inimical to the government.”

³ The number required of Barnstable was 82, Yarmouth 73, Eastham 65, Harwich 64, Sandwich 55, Wellfleet 45, Falmouth 43, Truro 42, Chatham 30, and Provincetown 6.

the county, those of tory proclivities are less bold, their secret influence has not a whit abated; and that the islands are more than ever the resort of the enemy and the scene of constant depredations. Indeed the question quite naturally arises whether the lenient course which was beginning to be exhibited towards such as had been heretofore in the opposition, did not strengthen and embolden those with whom they had hitherto acted in unison. Certain it is that these were trying times, and that difficulties thickened.¹

Brigadier Otis, in a letter, dated "Falmouth, Sept. 10," says, "I came here in answer to express, with part of my brigade. The fleet from Dartmouth were about to land and destroy the place. Fifty sail came through Quixes' Hole and anchored in Holmes' Hole. Five ships and a galley stopped at Wood's Hole and sent a boat ashore; but it soon returned, and they followed the fleet. Five of our coasters run into a harbor, seven miles hence, to keep out of their way; but the enemy sent two row-galleys and a number of boats, and, the tide being up, carried off four and burned

¹ Whether it be a fact that Brigadier Otis, unlike his venerated father, ("now by reason of age much retired from public action,") is with all his activity and patriotism become somehow weary with increasing annoyances and somewhat querulous; or whether the whole political machinery has become so out of joint that his complaints are just, we cannot undertake to say: but a letter from him to the Council, August 18, says, "Wellfleet has not yet raised a man. It minds no orders. A little town, though rich, lays easy and quiet whilst its neighbors are put to great trouble and prodigious expense. A few ambitious, disappointed, purse-proud men are on hand to do all they can to retard the raising of men." He speaks also of "timid men, if not tories, who, because the game is most up, crawl forth (despicable characters) to devour the laurels of those who dared to act when destruction hung over their heads," &c. &c.

one before our men could get there. The militia are under arms and watching the motions of the enemy."

In a despatch, dated "Barnstable, September 17," Brigadier Otis says, "I have returned from Falmouth. The fleet sailing westward the 15th, I sent to the Vineyard and found they had demanded 10,000 sheep, 400 head of horned cattle, all the arms and accoutrements on the island, and confined the head whigs as hostages for the performance. They eat and carried off more than 9000 sheep and about 350 head of cattle. About 400 arms, &c., were delivered up. The enemy burned a brig, three or four smaller vessels, all the boats they could find, and even took up and destroyed some that were sunk in four fathoms of water. They carried off and destroyed all the corn and roots within two miles around Holmes' Hole harbor. They dug up the ground every where to search for goods, even disturbing graves; rifled houses, broke windows, &c. They said they wanted to visit Falmouth; termed us a pack of . . . rebels; but said we had at Falmouth 5000 strong with plenty of artillery, and were as thick as bees. They seized the rate bills, and all the public money in the hands of the collectors. The militia behaved well, and were much disappointed at being called from home at such a busy time without being able to come at the enemy. The salt hay cut was carried off and lost by tides in their absence. A perfect plain half a mile deep between the town and the sound, affords fine ground for disciplined troops, but very bad for raw ones — not a stone or bush for shelter; but our people behaved well."

In a letter, September 20, acknowledging orders sent in compliance with a resolve to raise fifty men, in his brigade, to go to Providence, Gen. Otis says, "As the

enemy are around and threaten danger here, it is like dragging men from home when their houses are on fire; but I will do my best to comply."

Upon receipt of a letter from Gen. Otis, September 29, the Council were desired by the House "to order the company of militia under the command of Capt. Job Crocker and now on duty in Barnstable, to march to Boston to do duty under Gen. Heath." It was also resolved "that inasmuch as the militia of the county have been and continue to be greatly harassed by the appearance of the enemy's ships and the landing of troops in their vicinity, the county be excused for the present from raising men agreeably to the order of Council."¹

A letter from Gen. Joseph Otis, November 8, announces the wreck of the British ship *Somerset* stranded on the banks at Truro. He says, "The 480 men saved from the wreck are near me, brought to this place by Col. Hallett."² These men were subsequently marched to Boston as prisoners.

¹ In November "the British squadron appeared in such force in Barnstable Bay and in Cape Cod harbor," the impression was strong that a general engagement was meditated. Fearing that Boston would be the point of attack, nine regiments were ordered thither. Again, the fleet landing men at Newport, then at Dartmouth, then again at Martha's Vineyard, the vigilance of the community was exceedingly perplexed.

² Gen. Otis adds, "Shearjashub Bourne Esq. and a Provincetown man (one Spencer) have gone to Plymouth to libel the ship. Spencer put Col. Doane of Wellfleet on board. From all that I can learn there is wicked work at the wreck—riotous doings. The Truro and Provincetown men made a division of the clothing," &c. &c. "Truro took two-thirds, and Provincetown one third. There is a very plundering gang that way." There seems to have been much misapprehension in regard to the right of parties during this whole affair. The attorney general was directed by special order of the

In the same letter, Gen. Otis apologizes for his not giving his own personal and undivided attention to this matter: his venerable father was at the point of death.¹ The decease of this distinguished man — noble compeer with Samuel Adams, Quincy, Hancock and other illustrious patriots — occurred the following day, in Barnstable.²

General Court, January 9, "to file a bill against the ship;" the sheriff of the county was directed to take possession, February 11; and the Board of War was directed, February 19, to sell the effects, reserving for the State the cannon, &c. Provision was made for remunerating the salvors.

¹ The aged patriot's thoughts in his last moments were still upon the future of the country he had long served with fidelity; and he now requested his son to say for him to the Council, "I am soon to leave this world and desire to be no more concerned in civil matters; but I shall be greatly gratified if the Hon. Mr. Davis may be appointed to succeed me as judge of Probate. He is an honest man and of course a friend to his country; and the appointment will be one in which the whole country on the friendly side will acquiesce." It may be needless to remark that Mr. Davis was appointed.

² Col. JAMES OTIS, of Barnstable, chief justice of the Court of Common Pleas from 1764, succeeding Chief Justice Ezra Bourne, and re-appointed, (with Daniel Davis, Nathaniel Freeman, and Richard Baxter, associates,) Oct. 11, 1775, being the first commission by the governor and people of Massachusetts Bay, died Nov. 9. See page 274. Col. Otis, although educated to mechanical employment, soon became distinguished by his intellectual powers, and turning his attention to the law, attained to eminence in the profession and secured an extended practice. Trivial circumstances often determine important events; it was thus that Mr. Otis's attention was directed to the law. Being at court as a spectator, he, being then by profession a tanner, was requested by a neighbor who had a case in court but was unprovided with counsel, to assist him in his difficulty. Consenting, he managed the cause with such ability and discovered such power of argument that at the close members of the court complimented him and judicious friends earnestly advised him to offer himself as a practitioner. Procuring books he devoted himself to study, ever reading and constantly practising. Great natural talent

In the winter of this year, December 26 and 27, occurred that awful storm generally known as 'the Magee storm,' in which several valuable citizens of

and good learning, although not what is ordinarily denominated a 'liberal education,' soon secured him a commanding position. Colonel of militia at a time when both honor and influence attached to the office; he became a member of the Provincial Legislature in 1775, and was speaker of the House 1760 and '61. Being now recognized as a leading politician, his continued election was negatived by the governor. Still, he was appointed judge of Probate in 1763, and chief justice of the Common Pleas in 1764. In 1764 elected a member of the Council, he was again negatived by the royal governor; and although, during the last years of Bernard's administration, uniformly elected to the Council, the government continued persistently to reject him as often as chosen until the year 1770,—for his bold, manly, uncompromising maintenance of the rights of the colonies. Upon Hutchinson's coming into power, he was approbated as a councillor and was continued at the Council Board to the opening of the revolutionary war, and then, during the first five years of the war, was president. For a long period a leading man in town, county and province, he proved himself at all times of inflexible integrity, and was greatly honored. His reading had been directed especially to diligent study of the principles of law as connected with political institutions; this prepared him to engage not only with ardor, but with understanding, in asserting American rights. True at all times to his expressed opinion that "if the British Parliament be successful, the prosperity, freedom and honor of this country will be dimmed," he remained firm to the last whatever discouragements were in the way — always self-possessed and unyielding; and, although (like Moses who prevailed for others) he was not permitted to go over the limits of the revolutionary era to possess the good land crowned with the blessings of liberty and peace, he lived long enough to see his country glorious in her struggles for freedom with the prospect full in view that her mighty efforts to secure independence would be successful. This venerable man had long stood conspicuous among the younger, but not more influential or determined, sons of liberty. His noble son, bearing the same name, has generally been *designated* "the patriot;" but the illustrious father is, to say the least, equally entitled to that distinction. "Inter omnes unus eminet." Politically

this county perished on board a government vessel driven ashore near Plymouth harbor.¹

Applications continued to be made by disaffected persons for permission to take the oath of fidelity, or by refugees for liberty on parole to visit their families and settle their affairs; also from the families of refugees for leave to join their self-exiled friends in the British provinces.² Petitions were also presented from persons on the Cape "desirous of removing to the Kennebec, and wishing permission, notwithstanding the embargo, to carry their cattle and goods by water."

The French nation having acknowledged the independence of the United States, a treaty of alliance was made February 6. The question of a new constitution of civil government for the State, it was provided should be submitted to the people the last Wednesday in May.

and morally, it may be said of him, "Towering his height, and ample was his breast."

¹ The brig Gen. Arnold, mounting 20 guns, with a crew of 105 men and boys, commanded by Capt. James Magee, had sailed from Boston, Dec. 24, on a cruise. The vessel became enveloped in snow and ice; the entire shores were congealed, and no assistance could be rendered. Among those who perished were Lieut. John Russell of Barnstable, commander of the marines, and others of the Cape. Seventy dead bodies frozen were found when the vessel was boarded, strewed on the deck or attached to the shrouds and spars; thirty or more exhibited signs of life, but were unconscious. Nearly all of them died. Mr. Downs, belonging to Barnstable, survived; but with the loss of both his feet.

² Certain other persons, belonging in Sandwich, having petitioned, Jan. 29, for the privilege of the oath and for release from confinement, promising never again to counteract any measures for the defence of the country, but to demean themselves as good citizens of the same, were, on making a full confession of their former error, granted the prayer of their petition on the same conditions proposed to former applicants.

The town of Falmouth "and the shores along the Vineyard Sound and Buzzard's Bay" continued to be infested "by the enemy's ships and tenders." Cattle were plundered and other depredations committed.¹ These ravages were continued for a long time, and repeated attempts were made to land, plunder and destroy the towns.²

An order was issued, June 8, for the raising of 2000 men to reënforce the Continental army, and Col. Freeman was appointed superintendent for this county.³ Again, June 21, the county was called upon to furnish its quota of shirts, shoes, and stockings for the army, and Col. Enoch Hallett was appointed receiver.⁴ A State Convention was ordered, "to form a new Constitution of Government," to meet, Sept. 1, at Cambridge. Measures were also taken "to look after lands, &c., be-

¹ A company of men was ordered to be raised and stationed at Falmouth, Feb. 23; and the sheriff was directed "to take with him a sufficient force and go to the island of Cuttyhunk and arrest persons engaged in aiding and secreting certain Tories, and in sending provisions to the enemy,"—also "to break open in the daytime and search the premises of any persons in the county suspected of having in their possession any stores from the ship Somerset contrary to law."

² The brigadier of the county was ordered, April 9, "to detach from that part of his brigade in the towns west of Harwich, a large force, officered and equipped, to be stationed at Falmouth, the former forces being insufficient for the emergency." The Board of War was authorized to deliver to Col. Freeman, "2 field pieces, 4 pounders, with carriages and appurtenances complete, balls and other ammunition, to be deposited at his discretion; also £300 for supplies, and in addition a quantity of beef and flour."

³ The quota for this county was 87, viz.: Barnstable 16, Sandwich 12, Yarmouth 14, Eastham 10, Harwich 11, Wellfleet 5, Chatham 5, Truro 5, and Falmouth 9.

⁴ The number of each article required, was of Barnstable 82, Sandwich 55, Provincetown 6, Harwich 64, Eastham 65, Truro 42, Wellfleet 45, Falmouth 43, Chatham 30, and Yarmouth 73.

longing to conspirators in every county, who had acted against the government and liberties of the country.¹ A resolve was passed, June 25, "laying an embargo on all outward bound vessels; excepting wood and oyster craft within Cape Cod and Cape Ann, such vessels to obtain permits.—Falmouth and the shores adjacent were, Sept. 27, "still exposed to the ravages of the enemy's fleet in the Sound."²

¹ Their property was liable to confiscation. Agents were appointed for every county. Joseph Nye Esq. of Sandwich was designated for agent in this county. Sept. 23, persons were appointed to make sale of the confiscated property. The commissioners for the purpose in Barnstable Co. were Solo. Freeman, Esq., of Harwich, Capt. John Howes of Yarmouth, and Maj. Joseph Dimmick of Falmouth, to act "in behalf of the State."

² "Some of the militia of the adjacent towns" having "refused or neglected to comply with their duty when ordered out as guards," the brigadier was directed "to detach from the upper towns 68 men under the direction of field officers of the 1st reg't, to do duty along the shores of the Vineyard Sound and Buzzard's Bay;" and heavy penalties were attached to any default on the part of officers or privates. The officer in command being under the necessity, in several cases of alarm, of impressing horses to expedite the march, was threatened by the disaffected with prosecution, so that it was found necessary, the next year, March 24, for the General Court to pass a "resolve for preventing any prosecutions in the County of Barnstable of officers who impressed horses on the late alarms in said county;" as follows: "Whereas it appears to this court, that during the late alarms in the County of Barnstable, whilst they were invested at Falmouth with the enemy's fleet and threatened with devastation, it was thought necessary by the commanding officer, who accordingly issued orders to his officers, to impress horses in order to expedite the march of the militia to that town; in consequence of the execution of which orders, divers persons who had their horses impressed have threatened the officers with prosecution for taking their horses as aforesaid; which, unless prevented, may prove vexatious and chargeable to the officers, and very discouraging to the militia in future: It is therefore Resolved, that no person or persons whose horses were impressed or taken as afore-

A grant of \$200,000 was made, Oct. 1, to Col. Nathaniel Freeman of Sandwich, and Maj. Samuel Osgood of Andover, as commissioners "to repair to the camp of the American army¹ for certain purposes;" and the treasurer of the State was directed "to pay the same out of the public treasury; also to issue his warrant for such further sums of money as might be found necessary to enable said commissioners to carry said purposes into execution." Subsequently, Nov. 18, the commissioners having performed to acceptance the duty assigned them, their accounts were "found right-

said by any officer or his orders, as aforesaid, in time of the late alarms in said county, shall be allowed to bring forward any action or prosecution against any such officer for impressing his horse or horses as aforesaid, or to recover any damage or costs therefor in any court of record, provided the horses were taken for the service on the alarm, and were returned to the owners again in proper season, without any great damage; and in case any such action or prosecution shall be brought against any such officer, this Resolve may be plead in perpetual bar to the same, any law to the contrary notwithstanding: *Provided*, this Resolve shall not be construed to justify any militia officers in future for impressing horses in an illegal manner."

¹ One of the commissioners above named related to the writer that, when on this service at West Point, the attention of the commissioners was arrested by certain inexplicable movements among the French troops encamped at some distance from the American. Perceiving that they had kindled numerous fires in the adjoining fields, and were running about in strange disorder, Maj. Osgood and himself, accompanied by Gen. Washington and other officers, mounted horses and rode to the encampment. It was found that the Frenchmen were enjoying rare sport in a campaign against the grasshoppers which were unusually numerous at that time. These insects, as soon as captured, were impaled upon a sharpened stick or fork and held for a moment over the fire and then eaten with great *gusto*. The fires were furnished with fuel of deposits from cattle in the fields, made by the excessive heat and drought of the autumn sufficiently dry and combustible.

cast and well-vouched," they having drawn for £60,000 and expended £32,307 12, and returned the balance.¹

A special Fast was suggested by the House to the Council, Oct. 9.² A letter from Gen. Joseph Otis to Daniel Davis Esq. was communicated by the latter, a representative, to the House, Oct. 2, the substance of which letter was as follows: "Yesterday the *tories*³ in

¹ For their services and expenses, £280 8 2 was voted—the balance due them. Their mission, as subsequently transpired, was to "confer with Gen. Washington, as also with the generals and field officers belonging to this State, and assure both officers and men of the high sense entertained of their services and merit; arrange for the settlement of their accounts; provide for their comfort; and use endeavors to secure the reënlistment if possible of the entire State's quota." Col. Freeman, besides private interviews and consultations held by Maj. Osgood and himself with the Massachusetts officers, publicly addressed the troops assembled for the purpose. The desired arrangement for the continuance of the service of the State's quota was effected.

² The Council were requested to appoint said day of fasting and prayer, inasmuch as "it is the indispensable duty of a people in times of great public calamity to implore the blessing of Heaven on all their concerns, and, as the present day is one of great expectation, and most important plans are laid to extricate us from the troubles wherein we are involved, in the execution of which we cannot promise to ourselves success without the kind interposition and blessing of Divine Providence."

³ As the term *tory* so often occurs, it may be pertinent to remark touching the *cognomen* respectively of parties whig and tory at the time of the revolution and since in so general use, that the *origin* is confessedly involved in some obscurity. The two parties in England that began to divide the kingdom in the time of Charles I. were denominated *Cavaliers* and *Roundheads*. The former were for the king, as were the latter for parliament. After the restoration, in the time of Charles II., these parties began to be designated as *Tories* and *Whigs*, each term being applied by the opposing party as a reproach. The origin of these reproachful epithets, it is *generally* conceded, was as follows: In the mountains, and in the isles formed by bogs in

the Sound, about a league off Highano's harbor, took a vessel bound out of said harbor to Stonington, owned by one Palmer, loaded with dry fish ; and drove another ashore on the eastward part of Falmouth, loaded with cheese, cider, &c. They cut the vessel's deck to pieces, as the owners had scuttled her. In short, the refugees have got a number of Vineyard pilot-boats, (about 20,)

Ireland, were a class of *Irish-banditti* (some time known by the name of *Rapparees*,) then generally known as *tories*, that being the word in Irish for *savages*. As the king's opponents accused him of favoring the Irish rebellion which broke out about that time, they gave to his adherents the name of *tories*. An epithet so odious, because so pregnant with significance most insulting and humiliating, was, of course, duly resented ; and the adherents to the king in order to be even with their opponents who were closely united with the Scots, called them *whigs*—a name used in Scotland originally to designate a certain class of inhabitants. It is evident, however, that the loyalists had not the advantage of a term so opprobrious to apply as that already fixed upon themselves ; for the term *whig* is thus derived : the south-west counties of Scotland seldom producing corn enough to serve them, and the northern parts having a superabundance, those in the west were wont to come with their teams, in summer, to buy at Leith the stores that came down from the north. From a word used in the west of Scotland in driving horses, '*whig-am*,' those that drove the teams came to be called *whigamors*, and finally, for shortness, *whigs*. To illustrate : says Burnet, "In that year, before the news came down of Duke Hamilton's defeat, the *ministers* animated their people to rise and march to Edinburgh ; and they came up marching at the head of their parishes with an unheard-of fury, praying and preaching all the way as they came. The Marquis of Argyle and his party came and headed them, they being about 6000. This was called the wiggame's inroad. And ever after that, all that opposed the court came, in contempt, to be called *whigs* ; and from Scotland the word was brought into England, where it is now one of our unhappy terms of disunion." But some have it that the term *whig* is from the Saxon for *whey*, a name applied to those in Scotland whose principal food was sour milk. We think the former derivation the legitimate, or, in all probability, the true one.

and man them, and run into our shores and take every thing that floats." Gen. Otis applies for "eight-pounders, swivels," &c.; and engages "to procure two small vessels and get them manned to scour the sound." He says, "Highanos is much exposed; and to draw off the men to Falmouth causes much uneasiness."

Again, October 12, despatches from Gen. Otis show that "George Leonard has sent a flag of truce for exchange of prisoners." He represents Leonard as at the head of "a refugee gang in the sound." Leonard was desirous of exchanging "Barnabas Eldridge and Isaac Matthews of Yarmouth held as prisoners, and Manasses Swift and James Wing of Falmouth on parole," for certain "men taken by Falmouth people" at the capture of "the Gen. Leslie in Old Town harbor." Gen. Otis says, "The taking of the Gen. Leslie was a bold and gallant action. She had twenty-seven men and ten four-pounders; the Falmouth vessel had twenty-five men, and two three-pounders, with two *wooden guns*. They went to Old Town harbor where lay the Leslie and a sloop mounting twelve nine-pounders, with three prizes anchored between them. They first made for the twelve-gun sloop, intending to board her and sweep the harbor; but, the wind and tide setting out, fell about a biscuit toss astern, and could not fetch again. This was night work. The sloop being alarmed, began to fire. They then immediately run the Leslie aboard amidst the fire from the other sloop — firing a volley of small arms into the Leslie, wounding one of her men since dead, and receiving a volley which hurt nobody; then jumping on board, about twenty men drove the Leslie's men below, cut the cable, and brought the Leslie to Highanos." "Capt. Dimmick of Falmouth" is mentioned as the hero of this transaction. Gen. Otis

subsequently ascertained that Leonard, "on board the ship Restoration off Holmes' Hole, Oct. 1," had issued a proclamation "to all inclined to peace and good government, to lay down the arms now *forced* into their hands;" promising "they shall be protected and supplied with every comfort," in case of compliance.

Committees had, before the close of the year, been chosen to regulate the prices of the necessities of life. Prices were fixed; and, as far as possible, extortion and speculation were checked. The paper currency had become so depreciated that but little value could be attached to it at any rate of discount, and the difficulty of providing means either for the army or expenses at home was greatly exaggerated.

The year 1780 opened with a gloomy aspect. The paper money system adopted by the Continental Congress was not only producing its legitimate effects of ruin and distress, the bills being already depreciated to one thirtieth of their nominal value, so that the pay of officers and soldiers was totally inadequate to procure even clothing for them; but the funds of Congress and its credit were alike exhausted.¹ The only alterna-

¹ Some patriotic leaders and private capitalists did what they could in this gloomy state of affairs in granting loans to government; but their self-sacrificing advances were only as a drop to the retired waters of ocean in comparison with the need. Adequate loans were as yet in vain solicited abroad. The destitution of the army was, in fact, such that desertion and revolt were seriously apprehended should this state of things be permitted to continue. Still, like martyrs the troops bore and forbore. A requisition on the State caused a call on this county, Jan. 13, for a large supply of blankets, and similar calls came in quick succession. On the 4th of May, shirts, shoes, stockings, blankets, were the demand: of Barnstable 57, Provincetown 4, Sandwich 39, Harwich 45, Eastham 45, Truro 29, Falmouth 30, Yarmouth

tive was to extend the requisitions upon the several States so as to include provisions and forage.

The country burdened with debt; soldiers and their families subjected to great hardships; the salaries of all in public employ (the clergy included) reduced to a mere pittance available;¹ the lukewarm murmuring; symptoms of insubordination rife, — the utmost vigilance and prudence were required! The “dark day” which occurred May 19 — an event that was the occasion of some alarm, and of much speculation among the learned, seemed in keeping with the times.²

As if all the gloom that enveloped the circumstances of the country were not sufficient, questions of etiquette and policy must needs arise to disturb the equanimity and confidence of leading patriots themselves. The commanding officer in the county, in the exercise of his discretion, gave offence to nearly all those who, associated with him, had borne the heat and burden of the day and had hitherto moved on with him in perfect harmony. The proximate cause of dissatisfaction was a

51, Chatham 21, Wellfleet 32, of shirts, pairs of shoes, and stockings, and half the number of blankets.

¹ Some idea of the immense depreciation of paper money may be formed in view of an act of the General Court, June 3, giving “to Provincetown £3000 in addition to the annual grant of £45, for the support of the Rev. Samuel Parker as minister of the gospel in that town.

² We regard it as an important event worthy to be noticed here, that, in the midst of these trials, the legislature of one of the confederate States, Pennsylvania, in the month of March recognized the obligation to extend to others a portion of that freedom which every patriot desired for himself: it was enacted that no child born thereafter in this State should be a *slave*; and that negro and mulatto children then in bondage should be servants only until twenty-eight years of age and then free. The Northern States were not slow to follow the example, and now reap the benefit.

certain *nomination* by him made; the remoter cause was evidently the neglect for some reason to confer as formerly with judicious and patriotic associates, thus to assure the public good and to secure unanimity of thought, feeling and action. The matter created intense interest at the moment; we note the affair therefore somewhat minutely. The nomination called forth from the Council, Jan. 7, their marked disapproval.¹ To this act of Council, Gen. Otis replied in missives, Feb. 8 and 12, expressing his mortification at the censure imposed, petulantly reflecting upon a leading patriot, and threatening that he would himself "resign were it not for fear as to his successor."²

¹ "To Brig. Gen. JOSEPH OTIS. Sir: The Council cannot approve of the use you have made of the privilege by law allowed you in the nomination of a brigade major. Reason must dictate that such privilege was given you to improve to the advantage of your country in the harmony, and of consequence thereof, in the strength of its internal force. But to our surprise you have used it in the destruction of both in your recommendation of . . . , a private of no distinguished merit, to the rank of brigade major; not to mention the affront you have thereby given to this Board, while they depended on your care and prudence in the discharge of the high and important office committed to you in the rank of a brigadier general. Sir, you cannot be insensible to the very great uneasiness that subsisted in your brigade. . . Yet notwithstanding," &c. . . "To avoid disagreeable consequences, you will call upon . . . for his commission, and return it to this office, and prevent any further proceedings thereon by this Board, or any dishonor to the young man. In the name and behalf of the Council, I am, sir, your humble servant,

JEREMIAH POWELL, *President*."

² To this personality, generally regarded as undignified, there was a calm, but, to Gen. Otis, somewhat damaging reply addressed to the Council, Feb. 16. The persistency of the commanding officer, which would allow him neither to ask nor hear advice, was most unfortunate

He expressed also an earnest "hope" that the young man whose nomination had been the occasion of the present misunderstanding might at least be permitted to qualify and be thus placed in a situation to resign honorably — an opportunity of which he would undoubtedly avail himself. The Council, in deference to Gen. Otis' urgent request that the appointee might have this indulgence extended to him, submitted the matter to his discretion and withdrew the censure. Some time having elapsed, and no resignation taking place, the field officers of the First Regiment felt "constrained" again to present the case to the consideration of the Council,¹ enclosing also "a memorial from the commissioned officers of the regiment."² As late as

for his popularity; but, more than all, the splenetic acerbity of his utterances was injurious to his cause.

" Vain are their hopes who fancy to inherit
By force of pedigree, or fame or merit."

Such reliance may, indeed, beget a supercilious and otherwise exceptional deportment that is not in keeping with a well-considered pride of noble parentage; and may in some succession more disparagingly develop. We are sorry to say that the influence of the General began from this time to wane, though he was still treated with consideration in respect for his past services.

¹ The letter enclosing the memorial was presented some time in March, and expressed regret that the brigadier General had "been so much off his guard that resentment led to misapprehensions and expressions that reflect dishonor on his office." This document was signed by Nathaniel Freeman, Col.; Enoch Hallett, Lt. Col.; Joseph Dimmick, Major; George Lewis, 2d Major.

² The memorial represents that the nomination was made in disregard of the wishes of the entire regiment; that it was persisted in against the earnest advice of some in whose judgment and disinterested patriotism the public repose the utmost confidence; that it was well known before made that it would be considered exceedingly impolitic,

April 3, the promised resignation had not been tendered; and the Council felt obliged to press immediate compliance.¹

and derogatory to the respect due to every officer who was in service; and that they could not in self-respect acquiesce in an appointment which they regarded as improper and imprudent for very weighty reasons aside from the youth and inexperience of the appointee. The signers claim that the remonstrance bears the signatures of those who have never dissembled or faltered in the hour of trial — “most of us accepted office at the very first at the hazard of life and fortune when traitors were throwing all the obstacles in our way which malice could suggest, and with malicious grin were waiting for the (to them, happy) period when we should be offered up a sacrifice to their ambitious and malignant desires; whilst others whose timid nerves ever prevented their acting with firmness on the enemies’ side, kept their distance and only sneered at our audacity — many of whom of either sort, disappointed in their expectations and lust of power, now under the specious pretext of being actuated by more prudence and moderation than others, excuse their timidity or enmity to the country, and court the smiles of that government they till lately spurned as wicked, or condemned as weak.” The paper, as found in the State archives of the revolution, is dated “Barnstable, Feb. 29, 1780,” and is signed by

Samuel Fish, Capt.	John Nye, Lt.	Isaac Matthews, Lt.
Joseph Palmer, “	Eleazer Hatch, “	Josiah Thacher, “
Ward Swift, “	John Nickerson, “	Micajah Lewis, “
Micah Hamlen, “	Shubal Baker, “	Joseph Annable, “
Simeon Fish, “	Jerem’h Howes, “	Edm’d Matthews, “
Elisha Hedge, “	Eben’r Lothrop, “	Joseph White Jr., “
Lot Crowell, “	Ansel Howland, “	James Baker Jr., “
Micah Chapman, “	Sam’l Tobey Jr., “	Zach’s Howland, “
Nathan Nye Jr., Adj’t.	Peter Nye, “	Hezekiah Lombard, “
Jacob Lovell, Capt.	Sylvs. Gibbs, “	James Coleman, “
Nath’l Lothrop, “	Eben’r Baker, “	Lot Dimmick, “
Daniel Butler, Lt.		

¹ The brigadier general, on being again thus peremptorily addressed by the Council, expressed much surprise at the brief time allowed him and the summary manner in which the performance of his promise was demanded, but yielded to the call. We cannot, in faithfulness,

An unusual procedure appears in the doings of the General Court, May 6; the providing by special legislation for the licensing of an *inn* in the shire-town.¹ The reasons for this are doubtless found in the political agitations of the day, as exhibited by recent occurrences.

On the issuing of another requisition for the reënforcement of the army,² June 5, it was found "expedient in order to retain on shore many effective men, to order an embargo on vessels throughout the State."

Never did distress press more heavily upon the great commander of the Continental forces than now. Gen. Washington's camp was often destitute of meats and,

omit the fact that whilst in other respects the life of the young man was probably unexceptionable, there were allegations that his sympathies and actions had been on several occasions adverse to the cause of liberty.

¹ "Whereas it appears to be necessary for the better accommodation of the courts of justice in the County of Barnstable at their respective sessions, that some person near the court-house in said county other than those now licensed, should be authorized to keep a house of entertainment: therefore Resolved, that Joseph Otis and David Thacher Esqs., two of the justices of the peace for said county, *quorum unus*, be and hereby are empowered to license Otis Loring," &c. &c.

² The call was for 3934 men. From this county 187 were asked, and Nathaniel Freeman Esq. was appointed superintendent: Barnstable was to furnish 36, Sandwich 24, Yarmouth 31, Eastham 22, Harwich 24, Wellfleet 8, Chatham 11, Truro 11, and Falmouth 20. Again, June 22, men were called for, in number 4726; from this county 223, viz.: Barnstable 29, Sandwich 43, Yarmouth 37, Eastham 26, Harwich 29, Wellfleet 9, Chatham 13, Truro 13, and Falmouth 24; and the officers, every where, were "*most solemnly enjoined to despatch the men immediately, as the smallest delay may be attended with the most serious consequences.*" Nathaniel Freeman and Barnabas Freeman Esqs. and Capt. Edmund Howes were appointed for this county "to receive moneys in aid of the public treasury."

not unfrequently, of bread.¹ Committees were appointed for the several counties to direct in the sales of estates confiscated, the public service requiring the proceeds immediately.² The call for provisions from this county was peculiarly severe.³ These were truly exacting and hard times for a county so impoverished as this had become by the effects of the war.⁴ No other was so peculiarly situated. Being neither an agricultural nor a manufacturing county, its only source of revenue, that of the ocean, was shut up from its enterprising people.⁵

¹ The depreciation was such that 4 months' pay of a private was not sufficient to purchase a single meal. What could be expected under such circumstances but a feeling of discontent among the troops? Two of the Connecticut regiments were with difficulty restrained from forcing their way home at the point of the bayonet.

² The committee for this county were Nath'l Freeman, Joseph Otis, and Daniel Davis, Esqs.

³ The call made on this county, Sept. 25, was for its full quota of beef for the army, 71,280 lbs., viz.: of Barnstable 15,510 lbs.; Sandwich 11,120; Yarmouth 10,090; Chatham 3860; Truro 3680; Eastham 7250; Harwich 8350; Wellfleet 3620; Falmouth 7800.

⁴ Another reënforcement of men for the army was required, in number 4240; of this county was exacted, Dec. 1, 156, viz.: Barnstable 31, Sandwich 22, Yarmouth 24, Eastham 17, Wellfleet 8, Chatham 9, Harwich 19, Falmouth 17, and Truro 9. We are thus particular in showing the exactions; for these statistics tell in a forcible manner the sacrifice and effort made by our revolutionary sires in securing for themselves and posterity the blessings of freedom we inherit. Again, Dec. 4, the Commonwealth's proportion of specific supplies for the army was 4,626,178 lbs. of beef, for the ensuing year. Barnstable County was to supply 136,875 lbs. in the following proportion: Barnstable 29,781 lbs., Sandwich 21,253, Yarmouth 19,374, Harwich 16,034, Eastham 13,920, Chatham 7414, Truro 7068, Wellfleet 6953, and Falmouth 14,978; or, in lieu of the beef £3 7 6 per cwt., or forage, as follows, viz.: rye at 7s. per bu., corn 5s., oats 3s., peas 7s.

⁵ Harwich, Chatham, Eastham and Yarmouth were now under the necessity of memorializing the General Court, severally "setting forth

The new Constitution being adopted, took effect Oct. 25; under which occurred the first election of chief magistrate by the people. JOHN HANCOCK was governor and THOMAS CUSHING lieutenant governor¹ of the State. Solomon Freeman Esq. of Harwich was elected senator for this county. The political year was henceforward to commence on the last Wednesday in May.

With the ushering in of the year 1781, speedy and effectual measures were again necessary to replenish the treasury, as also to supply the army with clothing, &c.² The defence of Rhode Island bore hard upon this

the many difficulties and distresses the inhabitants of said towns labor under by reason of the extraordinary diminution of inhabitants, and many other inconveniences by reason of the present war"—praying that they "may be abated the taxes and requisitions for beef and other articles." A resolve was passed, Jan. 31 of the next year, "to stay the executions issued against said towns until further orders." In May, similar petitions and consequent resolves are recorded in reference to other towns; also the remission of a fine of £6000 to the town of Barnstable assessed for a failure to provide the whole number of soldiers that had been required in June of the previous year. It should be understood and well considered, that Barnstable County, notwithstanding its peculiar position, was not *distinguished* by such petitions and favors. Although its means had become more reduced and its sufferings were greater than in other parts of the State, the Cape stood well, compared with other and more favored counties.

¹ The lieut. governor was elected by the two Houses, in conformity with the constitutional provision in case of no election by the people, and, Dec. 1, proclamation of the same was made from the balcony of the State House.

² Committees were appointed to solicit loans. Joseph Nye Esq. of Sandwich, and Elisha Doane Esq. of Wellfleet, were a committee for this county. The commander-in-chief of the army being urgent for supplies of provisions, this county was expected again to furnish its quota of beef, 56,489 lbs.: Be. 12,295, S. 8814, Y. 7998, C. 3059, T. 2915, E. 5742, H. 6616, W. 2868, and F. 1682. For the clothing exaction, Mr. Shearjashub Bourne was appointed receiver.

county.¹ Some of the lower towns now feeling that they were utterly unable to comply with the orders of government for a supply of beef for the army, a meeting of delegates assembled at Barnstable and appointed Dr. John Davis to appear in behalf of these towns before the General Court and present the facts in the case. "The inequality of the burdens laid upon the people," seem not to have been well considered by the government heretofore. To pay taxes in the same proportion with others more favorably circumstanced, in addition to the compensation in silver money necessary to be made up over and above the pittance which Congress allowed to soldiers in the shape of almost worthless bills;² and to be obliged to provide clothing in equal proportion with others, besides the sustenance which must be provided for the families of soldiers absent from these towns, was alone a sufficient sacrifice for any and all the towns in this maritime district, crippled and impoverished by the prostration of its almost only means of support, without being enjoined to stand side by side with the agricultural towns in supplying

Shirts, stockings, shoes were required, — of each article or pair enumerated, Be. 52, S. 37, Y. 34, E. 24, W. 12, C. 13, H. 28, F. 26, T. 12, in all 238. In similar proportions 119 blankets were also to be furnished. Besides, 3 months' men were to be raised: 2700 in Mass., of which the Cape was to furnish 126; Be. 25, S. 18, Y. 20, E. 14, W. 6, C. 7, H. 15, F. 14, Truro 7. The latter place, Oct. 19, represented "the reduced condition of the town and their utter inability to provide its quota of men or supplies," — praying for relief.

¹ For the defence of R. I., and "especially of Newport," the brig'r of the county was ordered, June 16, "to detach from his brigade one 1st lieut. and 56 non-commissioned officers and privates, provided with good firelock, bayonet, cartridge-box, haversack, and blanket."

² The paper money of the *Province* was so depreciated that \$60 of paper was equal in value to only \$1 of silver; nevertheless, in all these towns strenuous efforts continued to be made to obtain recruits for the service.

beef for the army. The requisition would seem preposterous even if it were made at the time of the present writing. That the maritime towns were not disposed to be backward in duty in doing all that was possible to meet the hard requirements of government, is most evident upon the face of their records.¹

On the representation of Brig. Gen. Freeman, Oct. 20, requesting the governor to issue orders "for detaching a guard for the town of Falmouth," it was directed that the same "be detached from the 1st regiment in the county, and placed under the direction of Lt. Col. Dimmick."² Instructions were given by some of the towns to their representatives touching "the importance of a restoration of the fisheries in any arrangement that might be made for peace," and requesting them "to ask of the legislature to see that the commissioners be instructed" to that effect; and, accordingly, a resolve was passed, Oct. 27, instructing the

¹ It appeared, Nov. 2, that in the bills for taxes for the current year, assessed to be paid in hard money, the towns in this county had been overtaxed and were entitled to abatement. Receipts were ordered by the court to be given to the collectors for the amount of over-tax, viz.:

Barnstable, £420 4 7	Eastham, £277 15 11	Harwich, £230 19 7
Sandwich, 411 7 1	Wellfleet, 307 19 9	Falmouth, 258 19 3
Yarmouth, 157 0 0	Chatham, 173 12 4	Truro, 95 2 4

On the 6th of March of the succeeding year, it was "resolved that the several towns and plantations in the Commonwealth be taxed to a thousand pounds," as follows: in Barnstable County:—

Barnstable, £5 6 0	Eastham, £2 5 1	Harwich, £2 16 10
Sandwich, 4 1 0	Wellfleet, 0 13 2	Falmouth 2 9 10
Yarmouth, 3 15 5	Chatham, 1 2 7	Truro, 1 5 5

² The re-organization of the militia in 1776 had remained about the same, promotions only excepted, until 1781, when another re-organization was necessary to meet the requirements of the new State Con-

delegates in Congress "to present to that body the importance to the United States in general and to this State in particular, of the *fisheries*, that the rights heretofore enjoyed by the citizens of the United States may, in any settlement of peace, be acknowledged and secured."

An act was passed this year to prevent damage to the Nobscusset Meadows in Yarmouth; this act was made perpetual in 1797, and amended 1802.

The state of the army under Gen. Washington, early in the year 1782, was deplorable.¹ In fact, distress was

stitution. The officers of the Barnstable County brigade were now as follows:

Brig. Gen., Nath'l Freeman of Sandwich, who held 12 years and then resigned.

Brigade Major and Inspector, Nath'l Freeman Jr. of Sandwich, who held 16 years, and was elected to Congress.

First Regiment. — *Col.*, Enoch Hallett of Yarmouth, who resigned 1790.

Lt. Col., Joseph Dimmick of Falmouth, who was promoted Colonel 1790, and Brigadier General 1794.

Major, Micah Chapman of Yarmouth, succeeded in 1790 by Eben'r Lothrop.

Adjutant, Thos. Thacher of Yarmouth, succeeded in 1790 by Joseph Parker.

Second Regiment. — *Col.*, Benj'n Godfrey of Chatham, who resigned 1790.

Lt. Col., Job Crocker of Chatham, succeeded in 1790 by Elijah Knowles.

Major, Wm. Gage of Harwich, succeeded by John Wetherell.

Adjutant, Joseph Paine of Chatham, succeeded in 1790 by Mulford Howes.

¹ The state of the army may be learned from the following, a letter written at Fishkill, May 28:—"Yesterday was the third day of our army having been without provisions. Every department is without money and without credit. The army could not make a march of one day, as they are without every necessary, as well as provisions.

not confined to the army; the war had produced great prostration every where, and nowhere were its effects more felt than on the Cape.¹ "The darkest hour of night," it is said, "is just before the break of day."

A resolve for raising 1500 men to complete the

Officers and soldiers are exceedingly discontented. Wherever I go, I hear complaints which make me dread the most fatal consequences. The distresses of our army have arrived at the greatest possible degree.—STEUBEN." Again, May 28:—"I am under anxiety from the want of necessary deposits of provisions in the garrison at West Point. This is an alarming circumstance. Were the enemy to know our situation and make a sudden attempt, what is there to save these important posts?—G. WASHINGTON." A sketch of Gen. Greene's troubles at a subsequent date, may serve to complete the picture:—"Aug. 13, For upwards of 3 months, more than one third of our men" (of the Southern army) "were entirely naked, with nothing but a breech-cloth about them, and never came out of their tents; and the rest were as ragged as wolves. Our condition was little better in the article of provisions. Our beef was perfect carrion, and even bad as it was we were frequently without any.—N. GREENE."

¹ On the petition of Edward Knowles and others in behalf of several towns in the county, Jan. 30, the General Court appointed a committee consisting of Noah Goodman, John Fessenden and Abner Holden, Esqs., "to repair to sd. towns of Yarmouth, Harwich, Eastham and Chatham, and, at the expense of sd. towns, view the circumstances thereof, hearing all persons concerned, and report." Subsequently, Feb. 2, the sd. committee was instructed "to go into all the other towns in said county for the purposes mentioned; and, until further orders, all executions for any deficiency in procuring beef or men, were ordered to be stayed." The committee not attending promptly to the service, at a later period Hon. Increase Sumner, and Nath'l Gorham and Seth Washburne Esqs. were appointed with such as the Senate shall join. This committee of both Houses reported, Dec. 2, that they had "fully and critically attended the service, and that they are satisfied that the several towns in sd. county have complied to the utmost of their abilities with the requisitions made upon them by the General Court for beef and men and that the sd. towns are incapable of complying therewith any further." And, the said committee having further reported that, in their opinion, "all deficiencies

quota of the Massachusetts line, for reënforcing the Continental army, was passed March 7, the number apportioned to the several towns and plantations the previous year "not being sufficient on account of mortality and other casualties."¹ The authorities of Sandwich, Falmouth, Barnstable and Chatham were directed by the General Court, Oct. 9, "to cause the shores of their respective towns and the vessels in the harbors to be examined, that if any cattle or sheep are found which from their local situation or other apparent circumstances are likely to fall into the hands of the enemy, they may be driven to places of safety."

In 1783, the several Cape towns were, as might be expected, still more and more straitened in their circumstances;² but the war of the revolution, after eight years' continuance, was, by the orderings of a good Providence, to be this year succeeded by the blessings of PEACE. On the 30th of November of the previous year, preliminary articles had been signed at Versailles by Adams, Franklin, Jay and Laurens on the part of the United States, and by Oswald on the part of England, by which the thirteen United Colonies were to

of beef or men due from any of the towns in the County of Barnstable should be abated to them and that all fines for said deficiencies should be remitted," a resolve to that effect was passed by the General Court.

¹ To Barnstable County was apportioned the number of 36; i. e. to Barnstable 8, Sandwich 6, Yarmouth 6, Eastham 3, Wellfleet 1, Chatham 2, Harwich 4, Falmouth 4, and Truro 2.

² "Upon the petitions of the inhabitants of Eastham, Harwich, and Yarmouth, setting forth their extreme poverty and utter inability to pay their public taxes at present," the State treasurer was directed, March 12, "to recall the executions issued, and to stay in future, until further ordered, executions for two thirds the taxes." Similar resolves in relation to Barnstable, Sandwich and Falmouth were adopted, June 23.

be acknowledged "as free, sovereign, and independent States."¹ The cessation of hostilities was, by order of Gen. Washington, proclaimed in the American camp, April 19, the day that completed the eighth year of the war; the *definitive* treaty was signed Sept. 3; laid before Congress, Dec. 13; and the seal of the United States affixed, with the signature of his Excellency Thomas Mifflin, president of Congress, the 14th of January following.²

¹ The intelligence was announced, March 24, in Congress, on the authority of a letter from the Marquis de La Fayette, bearing date Feb. 5, that "preliminaries of a *general* peace had been signed at Paris;" and, April 4, a confirmation of the same under the hands of the American commissioners arrived at Salem, brought by the ship Austria, Capt. Derby — the same captain who carried to Europe the news of the Lexington battle in 1775; also "that his Most Christian Majesty and the King of Great Britain had ratified and their ministers exchanged the same on the 3d of Feb." It was in due time received and promulgated. The collateral questions to be settled had been troublesome, and complicated by the exclusive course which France seemed disposed to maintain in relation to the fisheries, and hence the delay of the final issue. By the treaty an unlimited right of fishing on the Banks of Newfoundland, the River St. Lawrence and all other places where we had been accustomed to fish, was conceded. But all that the British plenipotentiaries could by their utmost endeavors obtain in behalf of American loyalists whose welfare they greatly professed to have at heart, was a provision that Congress should earnestly recommend to the Legislatures of the respective States the most lenient consideration of their case and a restitution of their confiscated property. There were, of course, some applicants for this leniency, on the Cape: but, be it always remembered, not here alone. They were *numerous* in other counties.

² A war was thus ended which had cost Great Britain £100,000,000 sterling and about 50,000 subjects, in addition to her loss of the colonies; a war in which the United States lost many valuable lives and much treasure: but the issue of which was a full reward for all the hardships incident to the struggle. The war might have been avoided by a timely concession on the part of England of freedom from inter-

The acknowledgment of the independence of the States was every where hailed with joy as a most happy exchange for the privations, sufferings and horrors of war. It could not be otherwise regarded in this county after so long continuance of the contest had made the war the most grievous scourge ever endured. Every town not only felt the happy change, but all at once sprang forth with light hearts and renewed energy. It is true, the pecuniary embarrassments of the people were not to be retrieved in a moment; time must be had to effect this: but they saw the United States of America now standing proudly forth among the nations, destined, as was believed, to preëminence in national importance and glory.¹

nal taxation and a proper forbearance of the crown touching a violation of those chartered rights in regard to which the American people were so sensitive. But England being bent on enforcing submission, the war was permitted by an overruling Providence for her discomfiture and for our good. There can be no doubt that the lofty ideas England entertained of the certainty of our ultimate subjection, and the debasing views she indulged of our power of resistance, were very much the result of representations made by the loyalists who became traitors to the best interests of their own country, and who as their reward were necessitated to live on the bounty of the crown, or to accept a home through the leniency of their more patriotic fellow-citizens where they well knew that their former subserviency to the enemy would forever be a stigma. Still we trust there were even among such, some who in after times did not regret that the cause they had deserted was maintained and that the country they would have seen subjected to British tyranny rose to an exalted rank among the nations.

¹ We would not indulge in invidious comparisons. We acknowledge that, whilst no section of the country was more resolute than Massachusetts, independence was secured by the bravery of all. As such it should be regarded as a common inheritance derived from our ancestors, and as such should be transmitted. But it may be of use to survey the part which each of the original thirteen States enacted

The voice of joy and gladness, not only heard in the streets and in every dwelling, but in all places where the Governor of the whole earth was publicly worshipped, was becoming a people thus signally owned and blessed of Heaven.¹

That the Cape had its full share of the trials of the long conflict for independence, is to tell but half the story: its reliance on the occupations of commerce and

in the eventful struggle as seen by the following table "of annual terms of service furnished to the Continental ranks by each State during the war:"

Mass.	67,907	Md.	13,912	S. C.	6,417
Ct.	31,939	N. H.	12,497	R. I.	5,908
Va.	26,678	N. J.	10,726	Ga.	2,679
Pa.	25,678	N. C.	7,263	Del.	2,386
N. Y.	17,781				

Total 231,791, of which, as will be seen, Massachusetts bore at least one fourth part of the whole burden — exceeding that of Ga., S. C., N. C., Va., Md., and Del., together, by 7,572. We shall present in one of the succeeding pages a table more minute, showing the amount of militia as well as Continental service.

¹ The House of Representatives in General Court, July 2, took into consideration the propriety of a suitable commemoration of the Declaration of Independence, and "Resolved that the legislature, preceded by the Governor, Lieutenant Governor, Council of State, and other officers, if his excellency and their honors shall see cause to attend, will on Friday next, at ten o'clock, A. M., that being the day of the anniversary of the independence of the United States of America, repair to some suitable place for public worship, and there in a solemn and public manner render thanks to Almighty God for his great and unmerited mercy to these States in supporting them through a long, dangerous, and expensive war; in raising them to rank among the nations of the earth; in establishing them as an independent republic; in finally bestowing on them the long wished-for blessing of a cessation of hostilities; and in affording them reason to hope that they will speedily receive a definitive treaty of peace: and also to implore the divine benediction on the government and public concerns of these States."

the fisheries that became nearly annihilated by the superior marine of the enemy, secured to it a double share. Its burdens for the support of the war, as we have seen, were heaped and pressed to the utmost possible endurance, whilst every means possible was adopted by the towns to meet the requisitions made; and when compliance became impossible, authority was still respected and every nerve strained to accomplish even impossibilities.¹ There was really at no time any faltering in the cause on the part of the majority of its inhabitants.² It has not generally been sufficiently considered that whilst doing its full share of service on the land, it was all the while performing an essential and greatly augmented amount of service upon the seas.³ As much of the latter was performed in private armed vessels, no State record of the amount appears;

¹ The last order taken for relief on account of executions issued for taxes, was, Feb. 24 of the following year, when "Barnstable, Sandwich, and Falmouth were abated on half their taxes the previous year, and Yarmouth, Eastham, Chatham, Harwich, and Truro three fourths."

² A distinguished gentleman of the bar, a descendant from the Cape, Wm. H. Dillingham Esq., now deceased, once remarked in a public address in Philadelphia where he was resident, in regard to the land of his birth, "It is with no want of fealty to home — the home of adoption, that our hearts yearn towards the land of our fathers, the *natale solum*. There is a spot where the fallow deer and young fawn still have their range, with some poor remnants of the race once monarchs of the soil: within their immediate vicinity some of our ancestors have dwelt for more than two centuries, and there a great part of their descendants still find their home. When the clarion sounded its cry for liberty, in the war of the revolution, — when the thunder of the artillery of Bunker Hill came to them across the waters of the Massachusetts Bay, you might have seen men of *three generations* of the same name and family rallying in the same ranks to stand by the men of Boston, Lexington, and Concord."

³ The following statement of the troops (continental and militia)

but from what is known of the Arnold, Tyrrannicide, Active, Independence, and many others, may be inferred an approximation to the sum total. The habits of the people afford, to say the least, a presumption that wherever the ocean was ploughed by the daring, there the Cape was represented by its full quota of skilful, enduring, determined seamen urged by manly courage and patriot zeal.

The decease of that noble patriot James Otis Jr. occurred this year, May 23.¹

furnished by the respective States, during the revolutionary war, from 1775 to 1783, inclusive, is probably nearly correct:—

STATES.	1775	1776		1777		1778		1779		1780		1781		1782	1783
	Contin.	Contin.	Militia.	Contin.	Militia.	Contin.	Militia.	Contin.	Militia.	Contin.	Militia.	Contin.	Militia.	Contin.	Contin.
N. H.....	2324	3019	....	1172	1111	1283	....	1004	222	1017	760	700	....	744	733
Mass.....	16444	13372	4000	7816	2755	7010	1927	6287	1451	4553	3436	3732	1566	4423	4370
R. I.....	1193	798	1102	548	....	630	2426	507	756	915	....	464	....	481	372
Conn.....	4507	6390	5737	4563	....	4010	....	3544	....	3133	554	2420	1501	1732	1740
N. Y.....	2075	3629	1715	1903	921	2194	....	2256	....	2179	668	1728	....	1198	1169
N. J.....	....	3193	5893	1408	....	1586	....	1276	....	1105	162	823	....	660	675
Penn.....	400	5519	4876	4983	2481	3684	....	3476	....	3337	....	1346	....	1265	1593
Del.....	....	609	145	229	....	349	....	317	....	325	231	89	....	164	235
Md.....	....	637	2592	2030	1535	3307	....	2849	....	2065	....	770	....	1280	974
Va.....	....	6181	....	5744	1289	5236	....	3973	....	2486	....	1215	4331	1204	629
N. C.....	....	1134	....	1281	....	1287	....	1214	....	....	....	545	....	1105	697
S. C.....	....	2069	....	1650	....	1650	....	909	....	....	....	....	....	....	139
Ga.....	....	351	....	1423	....	673	....	87	....	....	....	....	....	....	145
	27443	46901	26060	34750	10112	33899	4333	27209	9120	21115	5811	13832	7398	14256	13076

Total, continental, 231,971; militia, 56,163.

¹ The circumstances of his death, and of the previous prostration of his mighty mind, we have already referred to, page 445. Many anecdotes are related touching the harmless eccentricities which marked the latter unfortunate portion of his life; but we have no wish to perpetuate them. They might, perhaps, serve to amuse a morbid curiosity; but we have no heart to penetrate, for such a purpose, the retirement of any man — especially of one who deserves so well of his country. The reckless unreserve with which the incidents of days of misfortune, and the infirmities of men of genius, are spread before the public by many biographers, is, in our view, in bad taste,

CHAPTER XXIV.

The Anniversary of Independence a perpetual Institution. — Shays' Rebellion. — Constitution of the United States. — First President of the United States. — National Bank. — Dennis incorporated. — Revised Constitution. — Whiskey Insurrection. — Ecclesiastical Changes. — Mails. — Orleans incorporated. — Troubles with France. — Washington's Decease. — Political Contests. — Brewster incorporated. — Embargo. — Non-Inter-course Act. — Port of Entry. — Local Legislation. — Impressment of Seamen. — Domestic Manufactures. — Preparations for War.

In 1784, the legislature, in view of "the low and humiliating dependence on a foreign power" from which the United States were delivered on the 4th of

to say the least. "There is, in every man's life, an inner circle into which the public have no right to enter;" and there should be limits to the indulgence of even a natural desire to pry into scenes of private misfortune. Not that there was ever a single passage in the whole life of him who "flamed in the forehead" of the revolution, which has been, or could be, told to his discredit; but respect is to be paid to the memory of departed greatness, and the record of that greatness is not to be blurred by the exposure to public view of unimportant reminiscences which only prove that the opening of his head by the blow of an assassin's "sabre," and the cruel treatment that followed, had indeed "shattered a once mighty intellect." Greatness should not debar any man of the sacred privilege of forbearance in this respect on the part of the press; otherwise the unknown may well thank God for their obscurity. Hutchinson relates that there were times that encouraged the hope of Otis' returning reason. One anecdote, among many mentioned of his previous brilliant career, is worthy of record as illustrating the honorable course of his professional practice. After pleading the cause of a client, with distinguished ability and probably with success, he discovered, whilst the judge was engaged in addressing the jury, a receipt among the papers in the hands of his client

July, 1776 "and by the directing hand of Providence assumed a station among the nations," which day "will forever be marked as the era when our political exist-

which receipt belonged to the opposite party and showed that the debt for which the prosecution had been instituted had been actually paid; he instantly stopped the progress of the action and became nonsuited. Such was his sterling *honesty*. Graduated at Harvard College 1743, he commenced the practice of law after completing his legal reading under Gridley, first at Plymouth, and after two years removed to Boston. At the bar, unrivalled for learning and eloquence, he was soon appointed advocate general at the Court of Admiralty, which position he held until 1761, then resigning rather than sustain the application for "writs of assistance." In 1761 he became representative of Boston, and in 1766 was elected speaker of the House — but having been a member of the Stamp-Act Congress 1765, his election was now negatived by the governor. Living at an age distinguished above all others in our history for able and eminent men, he was himself among the first until attacked in 1770 by the ruffianly Robinson. It was a fearful wish he expressed to his sister after this sad event, that he might be taken off by a stroke of lightning, and not the less remarkable therefore the fulfilment of the aspiration. Thus died one of whom President John Adams said, "I have been young and now am old, and I solemnly say I have never known a man whose love of country was more ardent or sincere — never one who suffered so much — never one whose services for any ten years of his life were so important and essential to the cause of his country as those of Mr. Otis from 1760 to 1770." The cause of liberty seemed to those abroad to be identified with his name.

JAMES OTIS, Jr., b. in Barnstable, Feb. 5, 1724–5, m. Ruth Cunningham, 1755, who d. Nov. 15, 1789, æ. 60. Issue: James, 1755, who volunteered a midshipman in the revolutionary war, and d. æ. 21 on board the Jersey prison-ship in 1777; Elizabeth, who m. Capt. Brown, an officer of the English army, of good family; [he was wounded in the battle of Bunker Hill, and afterwards placed in command of a fortress on the English coast. She left the country with her husband during the war, and did not return except on a visit in 1792. She was living in 1821 a widow in Eng. Her alliance with a British officer deeply offended her father;] and Mary, who m. Benj. Lincoln, eldest son of Gen. L. of revolutionary memory, and d. at Cambridge in 1806.

ence commenced," resolved again to celebrate the day when it should return, "by religious observances and demonstrations of joy."

Heavy debts encumbered the general and state governments, and such was the distress of the country, that, so soon after the promulgation of the glorious event of Peace, indications of trouble began to disturb the public tranquillity.¹ Indeed, from the moment of the cessation of hostilities, during the interval to the disbanding of the troops, Congress found itself in a trying situation.²

In 1785, Gov. Hancock who, by successive elections, had been continued in the gubernatorial chair, resigned, and, in Feb., Thomas Cushing, Lieut. Governor, became commander-in-chief, *ex officio*,³ until the election of JAMES BOWDOIN.

The Continental Congress when the war began had no money and no power to levy taxes. The only possible recourse was the resort to former methods of issuing bills of credit pledging the faith of the colonies for their redemption. This species of money passed currently for a time; but as the amount necessary to defray the public expenses soon greatly exceeded the amount of specie in circulation, the bills began and continued to depreciate until at last they were worthless. They remained so from 1780 to 1790. The whole amount issued had been \$200,000,000. It was not until 1790 that Congress passed an act to redeem this paper at the rate of \$1 in specie for \$100 in bills!

² The army, however, proved patriotic to the last. The soldiers unpaid returned quietly to their homes and resumed the arts of peace content with their lot however humble in the land they had so nobly helped to free from foreign enemies and to place among the most favored upon earth.

³ Lt. Gov. CUSHING had been rep. of Boston and speaker of the House; also a member of the Council and judge of the Com. Pleas as well as of Probate. A man of learning and ability, he was a dis-

It cannot be regarded as unnatural that the severe struggle of the revolution should be succeeded by a season of comparative exhaustion; or that the enthusiasm of a popular contest terminating in triumph should on subsiding leave the mind to meditate on the sacrifices made, and the privations yet to be endured to retrieve the past. Other thoughts, before, occupied the minds of all; and the heat of the struggle well nigh forbade the consideration of any present inconvenience or future toils. The wealth of the country exhausted, the proper mode so well understood in later times of drawing on the country's resources had not been discovered and could not therefore be immediately applied either by the general or state governments. Taxes could not be collected in any part of the confederacy without immense trouble, for there was really no money to represent the value of either the little personal property that had not been sacrificed, or to represent the soil. Commerce was but just beginning again to burst its thralldom. Each State was desirous of the benefit of its own revenue, for each owed a heavy debt. There was, of course, some clashing of individual interests and also of State interests: individuals restive under the most judicious symptoms of taxation or revenue, and States with each its own regulations — its tariff, its tonnage duties, &c., pursuing a system supposed by other States injurious to them.¹ It is not

tinguished patriot and prominent member of the 1st and 2d Congress. From youth a professor of religion, the motives of the gospel governed his life. He d. in office, Feb. 28, 1788, æ. 62.

¹ A foreign nation, it was thought, might be more favored by one State than by another, and expect similar favors in return. Each State was in danger of being jealous of every other. Little could be done under these circumstances to liquidate the public debt of the

strange, then, that the public mind was soon brought to see that a change in the Constitution of the General Government was required. The mercantile interests impeded, and for want of a uniform system of trade the advantages of this great source of national prosperity flowing into the hands of foreigners, it was evident that the General Government must be strengthened or a dissolution of the Union and a devastating anarchy must ensue.

An act was passed this year to protect Pocha Beach in the town of Eastham.

The next year, 1786, "Shays' rebellion," as the insurrection against the State government of Massachusetts was called, occurred, occasioning some alarm as well as trouble. The insurgents, discontented by reason of the laws for the collection of taxes and debts, were exceedingly audacious, organizing themselves for the subversion of the Constitution. The insurrection was quelled.¹

General Government, for it could not enjoy the confidence of foreign countries; and little could be achieved by the State governments, for a decay of trade, the rise of imports, the fall of exports, and a decrease in the value of all property must inevitably follow — especially if there be discontent among the people preventing the enforcement of law.

¹ Not, however, until a well-directed fire of artillery had shown the insurgents that the contest would be unequal. Fourteen of their chief men were subsequently tried and sentenced to death; but were ultimately pardoned. To put down this insurrection, 4000 militia were ordered into service, under the command of the veteran Lincoln. — The same spirit of disaffection was exhibited in New Hampshire as in Mass. — That its influence extended in some degree to this county would *seem* evident from the fact that the gov'r felt it to be his duty to issue his proclamation to the sheriff and other officers, and to the inhabitants, as follows :

Until this period, from the year 1775 when by limitation the several acts providing for the preservation of Cape Cod harbor expired, no special law existed for the same. On the establishment of the independence of the colonies, whatever title the Province of Massachusetts Bay had to the provincial lands, passed to Massachusetts. From the year 1737 there were symptoms of a gradual decline of the place, so that in 1748, although the harbor had lost none of its importance to the commercial world, the removals from Provincetown had been so numerous there were but two or three families remaining. In 1776 there were about twenty dwelling houses and thirty-six families; but during the distrac-

“COMMONWEALTH OF MASSACHUSETTS.

“Council Chamber, Boston, Nov. 27, 1786.

“Whereas it hath been represented to me that an attempt will be made by a number of people in the County of Barnstable to obstruct the sitting of the Court of General Sessions of the Peace and Court of Common Pleas to be holden by law at Barnstable within and for the county aforesaid on the 1st Tuesday of Dec. next, and thereby the course of law and the administration of justice will be interrupted unless seasonable measures are taken for the prevention of the same; I therefore hereby call on the sheriff of the Co. of Barnstable to take such measures as are pointed out by law to suppress all such attempts, and call upon the good people of sd. county for their aid and assistance for the prevention of all such designs: And he is further directed, with the advice of the justices of the court aforesaid, to call upon the commanding officer in the militia in that county to afford him such military assistance as they the sd. justices may judge necessary for the purpose: And the commanding officer of said county is hereby directed and required to afford the sheriff aforesaid all such military assistance as he shall be informed by the sd. sheriff is judged necessary by the justices of the court aforesaid. — The foregoing is by the advice of the Council.

JAMES BOWDOIN.”

There exists no other evidence that any difficulty was apprehended in this county; and we are inclined to the opinion that the proclamation was, with change of names, addressed and issued as a precautionary measure to each and every county in the State.

tions of the war it suffered again, and was greatly depressed. The dawn of peace infused new strength and hopes among the few remaining residents. In the month of June, this year, the attention of the legislature was attracted to the importance of the harbor, and an act was passed for its protection.¹ An act was this year passed to regulate the fisheries in the streams of Harwich.

In 1787, JOHN HANCOCK was again called to office to succeed Gov. Bowdoin.² The *Federal Constitution*³ was,

¹ Pasturage of cattle, &c. was prohibited, excepting "13 cows, 4 oxen, 1 bull, and 3 horses, of which number the minister" was "allowed to keep 1 cow and 1 horse for his own use." The cutting down of trees or brush was also forbidden, except "20 cords of wood for the minister, and so much brush from the swamps as shall be absolutely necessary for flakes in the curing of fish."

² Gov. BOWDOIN was eminent both as a statesman and philosopher. As a rep. to the General Court he was early conspicuous, and in the Council displayed equal ability and patriotism. In the disputes which laid the foundation of the American revolution, his writings and exertions were eminently useful. As president of the Convention which formed the State Constitution in 1780, his enlightened wisdom was acknowledged. As gov'r, his firmness and inflexible integrity at the head of gov't at the most unfortunate period after the revolution has been subject of universal commendation. As a generous friend of literature and the arts, his name is enshrined in the history of his native State; and as a consistent Christian, his example and influence were most happy. He d. Nov. 6, 1790, æ. 63.

³ The government of the States under the Articles of Confederation had hitherto existed; being found to be weak and inefficient for the public exigencies, commissioners had met at Annapolis the previous year to form a general system of commercial regulations, but recommended the appointment of delegates with more ample powers to meet the next year at Philadelphia. Accordingly delegates from the several States assembled in May and after four months' deliberation, arrived at the result. There is one reminiscence connected with the deliberations of this Convention that, for its moral grandeur and effect,

Sept. 17, "unanimously agreed to in Convention, and transmitted by Congress to the several States for consideration."

is worthy of a place here:—Whilst but little difference of opinion existed among the members in regard to great principles, there was less harmony in reducing those principles to practical detail; and on one occasion the body came near dissolving. At this painful crisis, Dr. Franklin arose and addressing himself to the president of Convention, said, "Sir, how has it happened that while groping so long in the dark — divided in our opinions and ready to separate without accomplishing the great objects of our meeting, we have not hitherto once thought of humbly applying to the FATHER OF LIGHT to illuminate our understandings? In the beginning of the contest with Great Britain, when we were sensible of our danger, we had daily prayer in this room for Divine protection. Our prayers, sir, were heard, and they were graciously answered. All of us who engaged in the struggle must have observed frequent instances of a superintending Providence in our favor. To that kind Providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful Friend? or do we imagine that we no longer need His assistance? I have lived, sir, a long time, and the longer I live the more convincing proof I see of this truth—that GOD *governs the affairs of men*. And, sir, if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings, that 'Except the Lord build the house they labor in vain that build it.' I firmly believe this; and I also believe that without His concurring aid we shall succeed no better in this political building than the builders of Babel; we shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and a by-word to future ages. And, sir, what is worse, mankind may hereafter from this important instance despair of establishing government by human wisdom and leave it to chance, war, or conquest. I therefore beg leave to move that henceforth prayers imploring the assistance of Heaven and its blessings on our deliberations be held in this assembly every morning before we proceed to business; and that one or more of the clergy of this city be requested to officiate in that service."— This suggestion, it need hardly be said, was favorably received by the

By bequest of Dr. Abner Hersey of Barnstable,¹ the several Congregational churches in the county became at this time prospectively invested with the trust of a large portion of his estate for religious purposes.

Convention, and from that time the guidance of Divine aid was daily sought. As might also be expected, great harmony prevailed; the spirit of concession pervaded the Convention; and a motion was made for the appointment of a committee to take into consideration both branches of the legislature. A committee was chosen consisting of one member from each State, and the Convention adjourned for three days. On meeting again, this committee reported to the satisfaction of all, and the body proceeded to organize the legislature and other departments of the government.

¹ DR. ABNER HERSEY was son of James of Hingham, who had three sons that became respectable physicians: Ezekiel, James, and Abner. The former of these grad. H. C. 1728, and was eminent in his profession, remaining in Hingham. Dr. James settled in Barnstable, had a high reputation as a physician and extensive practice, but died early, within a year of the time that his younger brother, Abner, became his pupil. Dr. Abner had until entering the office of Dr. James, labored assiduously on his father's farm, and had little opportunity for literary improvement. On the decease of his instructor, notwithstanding his pupilage had been brief, he availed himself of the professional field from which his lamented brother had been taken away; and, enjoying the benefit of his reputation, succeeded to a lucrative practice. Sound judgment and correct observation seem to have supplied the deficiencies of his medical education. He was indefatigable, faithful, punctual, and possessed of a rigid sense of moral rectitude. Successful, useful, and honored, he accumulated an ample estate. He was, however, subject to hypochondriac affections, and was withal eccentric. He rejected alike animal food and alcoholic stimulants; his meals were fruit, milk, and vegetables. Contemning the follies of fashion, his garments were peculiar to himself — large, loose, warm — his overcoat to protect him in travel was made of seven calfskins, lined with flannel. He was a member of the Mass. Med. Soc. Besides his bequest to the churches of the chief part of his estate, he left to Harvard College £500 to establish a Professorship of Anatomy and Surgery. He d. Jan. 9, 1787, æ. 66, leaving a widow, but no issue.

In 1788, the Federal Constitution having been accepted and ratified by eleven States, became the CONSTITUTION OF THE UNITED STATES;¹ the important difference between it and the former articles of confederation being that the General Government was henceforward to control the revenue and regulate commerce, thus enabling Congress to raise money directly from the people instead of resorting to requisitions on the State governments, which plan had proved totally inefficient, and providing for legislative, executive, and judicial departments of government with the specific duties of each as continued to the present time.

It would have been too much perhaps to expect that it would at once secure favor from all. The discussions it elicited gave rise to two great parties — parties, however, supposed by some to be inseparable from the existence of free institutions, watching and holding each other in check.²

The prohibition of the slave trade, March 25, was an important event. Some legislation was had by the General Court, June 13, touching the Mashpee Indians; and other acts were passed having reference to different localities in the county, but of little general interest. Hon. Enoch Hallett of Yarmouth, some time high sheriff of the county, died this year, March 2, æ. 52.

¹ Rhode Island and North Carolina dissented; the latter, however, adopted it in 1789, and the former in 1790.

² It may be seen by reference to the convention of Mass. for ratifying the Constitution of the U. S., that the vote of Barnstable Co. on the final question, was as follows: Shearjashub Bourne of Barnstable, ay; Thos. Smith and Thos. Nye of Sandwich, no; David Thacher and Jona. Howes of Yarmouth, ay; Solo. Freeman and Kimbal Clark of Harwich, ay; Levi Whitman of Wellfleet, ay; and Joseph Palmer of Falmouth, ay.

In 1789, under the new constitution, the government of which was to go into effect March 4, GEORGE WASHINGTON was unanimously elected the first President of the United States. He was not inaugurated, however, until April 30; for so wanting in zeal were numbers of the States, or their representatives, that three weeks elapsed before a full attendance of both Houses could be procured.¹ JOHN ADAMS was the first Vice-President. The seat of government was "fixed for ten years at Philadelphia," and after that time was to be "permanently established at Washington, on the Potomac."

The only legislative proceeding particularly relating to any part of the Cape this year, was an act of the General Court, January 30, "for the better regulating the Indian, mulatto, and negro proprietors and inhabitants of the plantation of Mashpee."

In 1790, Congress passed an act to redeem the paper money issued for carrying on the struggle with Great Britain during the war; but this act was of little ben-

¹ We cannot resist the impulse to record the fact so commendable, and so worthy of consideration by those elevated to places of authority, that Gen. Washington in his inaugural discovered that same high tone of religious reverence that was generally the characteristic trait of distinguished patriots: "It would be peculiarly improper to omit in this my first official act, my fervent supplications to that Almighty Being who rules over the universe and who presides in the councils of nations." Immediately after the delivery of the address, the President and members of both Houses attended Divine service in St. Paul's (Episcopal) Chapel on Broadway. We may also mention that before the adjournment of Congress, that body "deeply impressed with a sense of the Divine goodness," requested the President "to recommend to the people a day of public thanksgiving, to acknowledge with grateful hearts the signal favors of Heaven in affording the people an opportunity peaceably to establish a constitution of government for their safety and happiness."

efit to those who had suffered.¹ The establishment of a national bank in completion of the commercial and monetary system of Mr. Secretary Hamilton, having been effected after violent opposition, promised better results; and a revival of public credit and commercial prosperity ensued.

In 1791, the first census of the United States being completed showed a population numbering 3,921,336, of whom 695,655 were slaves; the United States exports about \$19,000,000; imports \$20,000,000; revenue \$4,771,000.² The French revolution having just reached

¹ The Continental money was worth to the holders finally but about one cent on a dollar; and much of it had changed hands at a trifling value.

² The public debt amounted to \$54,000,000, exclusive of the State debts supposed to amount to \$25,000,000 more. It became necessary to make provision for the payment of the interest, at least. The report of Mr. Hamilton to Congress, proposing taxes on certain articles of luxury, including spirits distilled within the United States, led to serious and acrimonious debate. The very foundations of government trembled; and thus was consolidated a violent spirit of party that was destined to array the community, one part against the other, for at least thirty years, under the names of Federalist and Republican. Mr. Hamilton's plan was adopted. The debt funded was rising \$75,000,000; bearing interest, part three per cent., the residue six. The funding of the debts of the Union and the assumption of the State debts contracted in the war; the proposed duty on distilled spirits; the establishment of a national bank; the increase of the army to protect the western frontier from Indian aggression; and an enlargement of the duties on impost and tonnage with view to a permanent provision for the discharge of the public debt instead of leaving it to annual appropriations, were the principal transactions that marked the first official term of the first President of the Union; and we may well ponder them as constituting an instructive chapter in the history of the human mind, since acts like these could before the year 1793 organize a nation into parties that continued their struggle till the authors of this legislation ceased as a party to exist and the fear of their prevailing policy expired with their demise.

its highest point of fanaticism and disorder, this was an important era.

In 1792, according to statistics given, "but few Indians remained in Barnstable County, except at Mashpee where were about eighty families, not more than forty or fifty individuals of unmixed blood. At Herring Pond were a few."¹

¹ It is painfully interesting to review the subsidence of the original proprietors of the soil. Gookin says there were, of "praying Indians," according to the account he obtained of Mr. Rd. Bourne, in 1674, "at *Meshawm*," i. e. Provincetown and Truro, "and at *Punonakanit*," i. e. Wellfleet, 72; "at *Potanumaquut*," i. e. Eastham, 44; "at *Manomoyick*," i. e. Chatham, 71; "at *Sawkatucket*," i. e. Harwich, "*Nobsquasset*," i. e. Dennis, "*Mattakees*," i. e. Barnstable and Yarmouth, "and at *Weequawket*," i. e. Barnstable, 122; "at *Mashpee* and several places adjacent," 117; "at *Pispogutt*," i. e. Sandwich, "*Wawayontat*," i. e. Wareham, "and *Sokones*," i. e. Falmouth, 36. To this Mr. Cotton adds, "*Kitteaumut*," i. e. another part of Sandwich, 40. Among the Indians on Mr. Bourne's Mashpee list, were 142 who could read the Indian language, and 9 who could read English; and 72 who were taught to write. In 1685, Gov. Hineckley transmitted "to the corporation in England, an account of praying Indians," as follows: "At *Pamet*, *Billingsgate*, and *Nauset*, 264. Great Tom, Indian, is their teacher at Nauset; at Pamet they are destitute since the death of Potanumatack, a prudent and sober man, much lamented. These are the Indians that Mr. Treat of Eastham is wont to help on week days; at *Monamoyt*, 115, and Indian Nicholas is their teacher; at *Saguetucket* and at *Nobsqussett*, where Indian Manassah is their teacher, 121; at *Mattakeese*, where Jeremy Robin is teacher, 70; at *Skauton*, where Simon Wicket is teacher, 51; at *Mashpee*, where Shanks is teacher and to whom Mr. Bourne did officiate while living, 141; at *Suckanessit*, old John teacher, 72; at *Monamet*, where Charles is teacher and where Mr. Thomas Tupper is helpful to them, 110." He mentions also "Saltwater Pond in Plymouth, where Mr. Cotton helps on week-days, and Will Skipping on Lord's days, 90. Besides these are boys and girls under twelve years of age, three times as many." Gov. H. says, "They have their courts and judges; but a great obstruction to bringing them to more civility and Christianity, is the

In 1793, the East Precinct of Yarmouth, set off as such in 1721, was incorporated as a town June 19, by the name of DENNIS. This was the eleventh town by incorporation, in the county.

Gov. Hancock whose administration was always popular and who had been sure to be elected by a large majority whenever he consented to be a candidate, died Oct. 8,¹ and SAMUEL ADAMS, lieutenant governor, became, *ex officio*, the commander-in-chief of the Commonwealth, and the next year was elected to that station.

In 1794, a commercial treaty was negotiated with Great Britain, by Mr. Jay. A further test of the

great appetite many of the young generation have for strong liquors, and the covetous ill-humor of sundry of our English in furnishing them therewith notwithstanding all the court orders and means used to prohibit the same." In 1698, Rev. Messrs. Grindal Rawson and Samuel Danforth were commissioners to visit the several plantations and report to the society in England; and they represented as "remaining in that part which was Plymouth Colony, 1290 Indians; on the islands, 1583; in all other parts of Massachusetts, 205." In 1763, in the three counties originally existing as Plymouth Colony, were 905, viz.: in Plymouth 225, Bristol 167, Barnstable 515. There were also on Nantucket 358, and on the Vineyard 313; making a total of 1576. The Indians had begun at this time to intermarry with negroes. At the present period, 1792, the Indians who once formed no inconsiderable body on the Cape, had dwindled to a small number, and these were chiefly at Mashpee. In Plymouth Co. were but a "few, near the Sandwich line; in Bristol Co. were only 32 individuals of the least Indian blood;" from other parts of Massachusetts they had generally disappeared.

¹ Gov. HANCOCK early evinced his patriotic attachment to his country's cause. A representative in 1766, president of the Provincial Congress in 1774, of the Continental Congress 1775, a signer of the Declaration of Independence 1776. Easy in address, of polished manners, affable, liberal, quick of perception, impartial, untiring in duty, his administration was popular. He died æ. 56.

strength of the Union was now applied; the whiskey insurrection in Pennsylvania making it necessary for the President to support the United States marshal of that district in the execution of the duties of his office.¹

In 1795, the question touching a revised constitution was submitted to the people.² The Hon. Shearjashub

That officer and others engaged in enforcing the duties on distilled spirits, being resisted and maltreated, the President made requisitions on the Governors of Pennsylvania, New Jersey, Maryland, and Virginia, for 1500 militia; which, under the command of Gen. Lee, marched into the revolted district, quelling all opposition. The result was important, inasmuch as it demonstrated to anarchists, that, under the control of the Federal government, was ample power promptly to frustrate any and all unconstitutional resistance that might arise. The party distinctions to which we have before referred, not only continued, but the lines were distinctly drawn: the republican or democratic party being charged by the federalists with sympathies with the Jacobins of France who had beheaded their king; and the federalists accused by the republicans, of monarchical tendencies.

² The friends of the constitution had to encounter the fears and honest prejudices of a large portion of the people, to a greater extent than many at present are aware of. The people, reared at the bosom of their respective States, with little experience of any but domestic authority, except that which was really foreign and at the same time hostile, were not unsusceptible of alarm from preparations for a government which in some of its aspects appeared to be external, though it was truly and essentially an emanation from themselves. The system was untried; and what it certainly would be was sincerely feared. The exercise of power under political constitutions of very different character, being in many instances discriminated in degree rather than in kind, its application in the mildest form becoming despotic if pressed to an extreme, it was not strange that, in the obscure light of our just-dawning government, imagination should raise phantoms of terrific threatening from the first acts of power however mildly benign. The apprehensions of the tendency of a federal union to overthrow the States and destroy American liberty, were expressed on every hand. Fortunately, Washington's incomparable wisdom and moderation, more

Bourne of Barnstable, who had hitherto from the time of his first election, 1791,¹ been the representative from this district in the Congress of the United States, concluded his congressional career with distinguished honor,² and Nathaniel Freeman Jr. Esq., was elected for the Fourth Congress.³

notable by his self-abandonment on all occasions to further the public weal, were a nation's boon; and the statesmen in the ascendancy, without adopting a jealous construction of the powers of the constitution, were determined to give it a fair interpretation, exercising its powers only in furtherance of its declared design "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." As the sovereign people had substituted the Constitution for the Confederation, they wisely considered that it consisted as little with their engagement of fidelity, as with the general welfare, to make it a confederation in effect, either by the rules by which it was expounded, or by the spirit in which it was administered. They regarded the States as strong by ten thousand bonds of property and local association, and by the great basis of internal power which had been reserved to them by the people; and the union as destined to inevitable contempt and speedy extinction, unless the powers given to it should be used in the spirit of the gift, to make it in its own sphere what the States were in theirs.

¹ It is worthy of record that he then received every vote given in the district.

² Hon. SHEARJASHUB BOURNE was an eminent man, and in direct descent from Rev. Richard Bourne. Of these noted men, and others of the same lineage — a family distinguished by the eminence of not a few in successive generations, we shall have occasion to speak more particularly by and by.

³ Hon. NATHANIEL FREEMAN Jr. was son of Gen. Freeman of the same name. In looking over the "Massachusetts Centinel" of July 21, 1787, we find an editorial "*critique*" — it is so denominated — on the literary performances at the Harvard College Commencement-anniversary; which we may here present as neither irrelevant nor uninteresting. The article suggests, "The two principal performances were the orations of Mr. John Quincy Adams and Mr. Nathaniel

We will here bring up to the present the ecclesiastical changes that have occurred in the county for the last thirty years. The Rev. JOSEPH CROCKER,¹ of the

Freeman Jr. The first of these certainly declaimed on a well-chosen subject in a manly, sensible and nervous style of eloquence. The public expectations from this gentleman, being the son of an ambassador, the favorite of the officers of the college, and having enjoyed the highest advantages of European instruction, were greatly inflated. This performance justified the preconceived partiality. He is warmly attached to the Republican system of his father, and descanted upon the subject of 'Public Justice' with great energy. Mr. Adams' indisputable superior in style, elegance, and oratory, is the graceful Mr. Freeman. It was thought almost impossible for him to exceed his accomplished rival who spoke before him—but to Freeman every thing was easy. They were both considerably agitated when they arose, and seemed to recover a decent confidence after the same interval. Freeman was not deficient in elegance of diction; in mellifluousness he was unequalled. He has happily imitated the plain and just model of eloquence which has been attended with the most flattering success in this country. In short, these young gentlemen discovered those qualities that must insure them eminence; and we hope, for the sake of their country, they may be rivals in the cultivation of those talents through life."—It is proper to add that Mr. Freeman's was the concluding performance. Mr. Russell's commendations appear the more flattering to both, if it be considered that the graduating class that year was unusually large, numbering fifty-one, and embracing, besides those already named, William Cranch, Abiel Abbot, James Bridge, Timothy Fuller, Joshua Cushman, James Lloyd, Thaddeus M. Harris, Samuel Putnam, Hezekiah Packard and others, who became distinguished in public life. It may be added that at the Commencement in 1790 when members of this class received their second degree, Mr. F. was selected to deliver an English oration, the subject of which was, 'The Prospects of the United States of America.' Mr. Freeman, having studied law, gave early promise of eminence in the profession. He was brigade major sixteen years, and twice elected to Congress; but died early and suddenly of hemorrhage at the lungs, Aug. 22, 1800, at the age of 34, greatly lamented.

¹ The name Crocker, or Croker, is of ancient, English origin, and it may be fairly inferred that the ancestry was indigenous with 'Cro-

precinct of Eastham since called Orleans, died in 1772, and was succeeded the same year by the Rev. JONATHAN

ker's Hale' and 'Crokern For' in Devonshire prior to the times of William the Conqueror. The old distich,

" Croker, Crewys, and Copplestone,
When the Conqueror came were all at home,"

naturally suggests that some of the family were at that early period distinguished in arms. It can hardly have escaped the observation of the reader, however, that it is very far from the purpose of the present work to set forth doubtful pedigrees and that these pages exhibit no sympathy with the pitiable vanity sometimes discoverable at the present day in a disposition to arrogate ancestral descent bringing with it heraldic memorials. There are, as perhaps in the present case, instances where we might unhesitatingly claim legitimate heraldic honors for prominent families of Cape Cod; but then the employment is repugnant to our taste even were the task of discriminating not ungrateful and possibly odious; and we choose rather to ignore genuine escutcheons, than assume the authority of deciding such matters, and, it may be, offend by refusing to become the armor-bearer for that petty pride that would glory in spurious pretensions. Suffice it, therefore, to say, in this place, that the name above indicated has, from the very first on these shores, been one of note and embraced great numbers of worthy descendants. Among the early settlers at Barnstable were JOHN and WILLIAM CROCKER, brothers, who came probably from Lyneham in the County of Devon, about 1630. They were both inhabitants of Scituate in 1636, when, Dec. 25, Mr. William Crocker connected himself with Mr. Lothrop's church. The will of John, 1668, pr. 1669, mentions his wife *Jane* and his brother William's sons to whom he devised his property. The inference is, of course, that John died without surviving issue, and that all of the family name originating from Barnstable are descendants of William.

The issue of Dea. WILLIAM CROCKER, by his wife Alice, were John b. in Scituate, May 31, 1637; Elizabeth, Scituate, Sept. 22, 1639, who d. May 16, 1658, æ. 19; Samuel b. in Barnstable, July 3, 1642, and d. 1681; Job, March 9, 1644; Josiah, Sept. 19, 1647; Eleazer, July 21, 1650; and Joseph, 1654. For the present we must be content to trace down one branch only of a numerous family, leaving others for future notes.

Dea. JOB, the 3d s. of Dea. Wm. above, who d. March 20, 1718-19,

BASCOM. The Rev. SAMUEL PARKER was settled in Provincetown in 1774. The Rev. SAMUEL PALMER of Fal-

æ. 75, m. 1st Mary dr. of Rev. Thomas Walley, Nov. 1668, and 2d Hannah dr. of Rd. Taylor, July 19, 1680. The latter d. May 14, 1743, æ. 85. The issue by these were: (a son,) Oct. 18, 1669, who d. inf.; Samuel, May 15, 1671, who m. Sarah Parker; Thomas, Jan. 19, 1674, who m. Elizabeth Lothrop; Mary, June 29, 1681; John, Feb. 24, 1683; Hannah, Feb. 2, 1685; Elizabeth, May 15, 1688; Sarah, Jan. 19, 1690; Job, April 4, 1694, who d. May 24, 1731, æ. 38; David, Sept. 5, 1697, who m. Abigail Loring, Nov. 12, 1724; and Thankful, June 16, 1700. Dea. JOHN, the 4th s. of Dea. Job, m. 1st Hannah —, Nov. 11, 1704, who d. Oct. 10, 1720, and 2d Mary Hinckley, June 22, 1725–6. Issue: Abigail, Oct. 5, 1705; Zaccheus, Aug. 1, 1707; John, July 27, 1710, who d. 1711; Ebenezer, Nov. 1, 1713; Elizabeth, April 6, 1718; Jabez, June 16, 1720, who d. inf.; John, April 1, 1722; Job, March 29, 1724; Daniel, March 1, 1725–6; Timothy, Aug. 23, 1728; and Jonathan, Nov. 22, 1731. TIMOTHY, who settled in Falmouth, 7th s. of Dea. John, and d. Oct. 17, 1800, æ. 73, m. Susanna Robinson, March 10, 1757, who d. Jan. 22, 1809, æ. 70. Issue: Robinson, Dec. 3, 1757, who m. Eliza Porter of St. Stephens, N. B., Nov. 19, 1791; Mary, Sept. 9, 1759, who m. Josiah Sampson of Barnstable, Sept. 17, 1777; Joseph, Sept. 18, 1761, who m. Martha Dimmick; Rachel, Sept. 16, 1763, who d. 1765; Timothy, Nov. 8, 1765, who m. Mary Dimmick; Susanna, Feb. 18, 1768, who m. Rev. Henry Lincoln; Rowland Robinson, April 2, 1770; John, Sept. 26, 1772, who m. Susan B. Wicks; Lucy, Feb. 20, 1775, who m. Dr. Jonathan O. Freeman of Sandwich; Sylvanus, July 20, 1777, who m. 1st Eliza Coffin; and David, June 4, 1780, who d. at sea, April 8, 1801.

Capt. ROWLAND R., of Falmouth and afterwards of New Bedford, (whom we shall have occasion to mention more particularly a few pages onward,) the 4th s. of Timothy above, and who d. Jan. 12, 1852, æ. about 82, m. 1st Rhoda Hayden, of New Bedford, June 4, 1796, and 2d widow Sarah Slocumb Hammond, April 9, 1811. Issue: William, Charles, Rowland, and James, all of whom died before their father. The first three were seamen; the last was cashier of the Commercial Bank, N. B., afterwards treasurer of the N. B. Railroad, then went to California and d. æ. about 30. The widow of Capt. Rowland R. survives, 1859, very aged. See further notice of Rev. Joseph Crocker, hereafter—descended undoubtedly from Josiah the son of Dea. William.

mouth, dying in 1775, was succeeded the same year¹ by the Rev. ZEBULON BUTLER, who retired in 1778 and was succeeded by the Rev. ISAIAH MANN in 1780, who died in 1789 and was succeeded by the Rev. HENRY LINCOLN in 1790. The Rev. STEPHEN EMERY of Chatham died in 1782 and was succeeded by Rev. THOMAS ROBY in 1783, who retiring in 1795 was succeeded by Rev. EPHRAIM BRIGGS in 1796. The Rev. ABRAHAM WILLIAMS of Sandwich dying in 1784,² was

¹ Rev. SAMUEL PALMER, s. of Rev. Thos. of Middleboro', grad. H. C. 1727, and became the minister of Falmouth Nov. 24, 1731, uniting with his sacred profession the practice of medicine. He d. April 13, 1775, æ. 68. His 1st m. was with Mercy Parker, then of Boston, Jan. 25, 1737, who d. March 1, 1750; and 2d, with Mrs. Sarah Allen of Chilmark, 1751. Issue: Thomas, Feb. 12, 1738; Joseph, June 12, 1739; Mercy, July 19, 1743; Eliz'h, July 12, 1745; Job, Aug. 15, 1747; Molly, Feb. 11, 1749; Sarah, Nov. 7, 1752; Lucy, who d. March 5, 1754; Martha, July 31, 1756; Susan, Nov. 27, 1757, who m. Hatch; Anna, Dec. 27, 1759; and Samuel, April 28, 1763, who d. inf. — The eldest of these, THOMAS, who d. April 25, 1775, æ. 37, had, by his wife Elizabeth, Matty, Oct. 20, 1766; Thomas, Aug. 20, 1767; and Job, Aug. 11, 1772. The second, JOSEPH Esq., m. Thankful Davis, Dec. 6, 1765, and had Samuel, Sept. 8, 1766; Elizabeth, July 11, 1769; Joseph and Hannah, gemini, Nov. 5, 1770, the latter dying inf.; Hannah, 1774; and Sarah, 1778. JOB was, about 1845, living in Charleston, S. C. æ. 97.

² Rev. ABRAHAM WILLIAMS, son of Abraham of Marlboro' who m. a Breck, was b. in Marlboro' March 8, 1727–8, grad. H. C. 1744, and was invited to preach in S. at a time when the parish was much divided and harassed by internal strifes, and by his energy and good sense united to great kindness of spirit, succeeded in reconciling the variant parties so that early in 1749 a call to him to accept the pastorate was extended with much unanimity and he was ord. June 14. — Mr. W. m. Sept. 21, 1751, Anne, 2d dr. of Col. Joseph Buckminster of Framingham, and sister of Dr. B. of Portsmouth whose son Rev. Joseph Stevens B. "left a glorious memory in Boston by his eloquence, learning, and Christian virtue." Mrs. W. was "a remarkable woman — of great originality and strength of mind." Their children

succeeded by Rev. JONATHAN BURR in 1787. The Rev. ISAIAH LEWIS of Wellfleet died in 1786, who had, by reason of age, been succeeded in the pastoral office by the Rev. LEVI WHITMAN the year previous. The Rev. JOSEPH GREEN of East Barnstable died in 1770,¹

were 1. Sarah, Sept. 5, 1752, who m. Rev. Timo. Fuller of Princeton, Oct. 31, 1771, and d. 1822, whose eldest son was Hon. Timothy Fuller, and among her grandchildren are Sarah Margaret Fuller the late Countess Ossoli, and Rev. A. B. Fuller now of Watertown; 2. Abraham, Feb. 10, 1754; 3. Elizabeth, 1755, who m. Dr. Thomas Smith of S., his 2d w.; 4. Robert Breck, March 9, 1757; 5. Anne, 1759, who m. Rev. Jona. Smith of Chilmark, afterwards of Hadley, Oct. 25, 1789; 6. Joseph, March 18, 1761, who m. a Wells of Newburyport and was a distiller; 7. Martha, 1762, who m. Capt. Samuel Tobey of S. and removed to Me.; 8. William, Jan. 20, 1765, who m. 1st Elizabeth Blake and 2d Marg't Atwood, and was a hat manufacturer in Boston; 9. Thomas, Sept. 29, 1768, who m. Susan Atwood, and was a distiller in Boston; and 10. Caroline, 1770, who m. J. Dwight of Stockbridge, May 21, 1789, and had Frs. who d. in 1812, connected with the navy, and Wm. H. who was wrecked in the Albion. The inscription on the Rev. Mr. W.'s monument, in the old graveyard in S., says that two of his sons d. in Br. prison ships. Rev. Mr. W. was a man of fine business talent, and, yielding to the solicitations of his parishioners was frequently engaged in surveying lands, writing deeds, drawing wills, &c. He was an accomplished gentleman, a faithful pastor, and a bold friend of the American cause which, before his death, was, to his great joy, triumphant. His death occurred Aug. 12, 1784, at the age of 57, greatly lamented by an attached people who recognized in his life the fragrant example of a patriotic, devoted, Christian guide. Mrs. W. survived her husband, residing chiefly during her protracted widowhood, in the family of her son-in-law Rev. Mr. Fuller in Merrimack. She d. Aug. 22, 1810.

¹ The monumental stone at the grave of the Rev. JOSEPH GREEN, bears the following inscription: "Here lyeth the body of Mr. Joseph Green, the worthy pastor of this church. As a gentleman, a friend, a Christian, and minister, his character was greatly distinguished. His natural abilities were conspicuous, and much improved by study and application. In human and sacred literature, he greatly excelled. His principles were evangelical and candid. In prayer and preach-

was succeeded by the Rev. TIMOTHY HILLIARD in 1771, who resigning in 1783 was succeeded by the Rev. JOHN MELLEN the same year.¹ The Rev. JOSEPH GREEN Jr. of Yarmouth installed 1762, died 1768, and Rev. TIMOTHY ALDEN was his successor 1769. Rev. JOHN DENNIS of Harwich settled in 1756, removed 1760, succeeded by Rev. JONATHAN MILLS 1766 who died 1773, was followed by Rev. NATHAN UNDERWOOD 1792. The Rev. JOSIAH DENNIS of Dennis, then a Yarmouth precinct, died 1763, and Rev. NATHAN STONE became his successor 1764. The Rev. ISALAH DUNSTER of Harwich died 1783, and Rev. JOHN SIMPKINS was his successor. The Rev. CALEB UPHAM

ing, his gifts were generally and justly admired. Temperance, purity, prudence, benevolence, resignation, devotion, and exemplary diligence in his Master's service, adorned his character. His mind was sedate, his temper placid, his affections and passions regulated by reason and religion; his manner courteous, generous, and hospitable; his conversation entertaining, instructive, and serious; a dutiful son, an affectionate husband, and a tender parent; a sincere friend and faithful minister; greatly, and to the last, beloved and honored by his people. Born at Boston, June 21, O. S., 1704; grad. H. C. 1720; ordained May 12, O. S., 1725; departed this life, in assured hope of a better, Oct. 4, N. S., 1770, in the 70th year of his age, and the 46th of his ministry.

‘Think what the Christian minister should be,
You’ve then his character—for such was he.’ ”

¹ Rev. Mr. HILLIARD was b. in Kensington, 1746; grad. H. C. 1764. In 1768, he was appointed chaplain of Castle William and after officiating in that capacity a few months was elected a tutor in the college in which he was educated, in which office he continued until ordained at Barnstable. After his removal from Barnstable, he was soon called to be colleague with Rev. Dr. Appleton at Cambridge. He d. May 9, 1790, æ. 43. He was possessed of “an easy and pleasing elocution and a devotional manner, and his discourses were pure in language and replete with judicious sentiments, well-arranged, instructive, and truly evangelical. Several of his discourses, including a Duddleian lecture, were published.”

of Truro died 1786, and his successor was Rev. JUDE DAMON. The Rev. BENJ. WEBB of Eastham who died 1746, was succeeded 1751 by the Rev. EDWARD CHEEVER who died 1794 and was succeeded by Rev. PHILANDER SHAW the next year. The Rev. ELISHA TUPPER, minister of the Pocasset precinct in Sandwich, died 1787.¹ The changes by death are many; but it may be remarked that the clergy generally lived to a good old age. All, to the present time, filled a much larger space in society

¹ Rev. ELISHA TUPPER, b. 1707, was the great g. s. of the first missionary of the name of Tupper. It has before been intimated that when Rev. Mr. Smith was early called to the church in S., "Mr. Rd. Bourne and Mr. Thos. Tupper who had for some time conducted public services on the Lord's day, directed their attention to the business of gospelizing the Indians,"—Mr. B. giving himself to the work among the South Sea or Mashpee Indians; and Mr. T., who went "generally by the name of *Capt. T.*, being a military man as well as evangelist, turning his attention to the Indians to the northward and westward" of the central settlement of S. The latter "founded a church at," or near, "Herring river, and a meeting-house was built there—supplied with a succession of ministers by the name of Tupper." "The family," says one of the last century, "furnished Sandwich and other places with some worthy characters, some of whom were men of abilities." The Rev. Elisha T. d. æ. 80, in 1787. At the time of his decease he was officiating at Pocasset,—his place at Herring river having been for several years supplied by Mr. Ephraim Ellis of whom mention is frequently made as a missionary to the Indians,—and, says the writer before quoted, Rev. Mr. Hawley, "Mr. Tupper's corpse was brought in severe winter weather and buried in Sandwich central-village among the graves of his ancestors in the old burying-ground," as it is called—not the oldest, however; that being on the hill where are "the saddle and pillion" placed over the graves of the original proprietor of S., Mr. Edmund Freeman and his wife. Capt. Prince Tupper who lived near the spot, and died many years ago an aged man, said that "within his remembrance numerous graves were visible there," though now, 1859, the ploughshare long since passing over them has obliterated all traces of graves save the saddle and pillion which remain untouched.

and wielded a greater influence than has usually been characteristic of the clergy in later times. The reasons are obvious. It may further be noted that hitherto, with two exceptions, the Congregationalists and the Friends were the only religious denominations in the county. The two Baptist churches, the one first gathered in Harwich in 1756 by the labors of the Rev. ELISHA PAINE, some time resident in Connecticut, succeeded by the Rev. RICHARD CHASE; and the other, that organized in Barnstable 1771 of which the Rev. ENOCH ELDRIDGE was the first minister, constitute the only exceptions. As after this period religious denominations began very soon to multiply by secessions, divisions, and subdivisions multiform, we may not note these events very minutely in our *county* history, for they will necessarily appear in the annals of the towns. The once almost paramount influence of the ministry in civil affairs, began visibly to abate so soon as its former constituency began to divide, and lessened in proportion to the increase of conflicting views.

In 1796, Gen. Washington signified his intention of retiring from public life. His Farewell Address, calling on his countrymen to cherish ever an immovable attachment to the Union; recommending implicit obedience to the laws, and reprobating all attempts to obstruct them and all combinations or associations formed with a design of overawing the constituted authorities; enjoining the observance of good faith towards all people, and honesty in all public trusts, regarding religion and morality as pillars of human happiness;—was an act suited to his exalted character, and a legacy to his country of the greatest value.

It may, at the present day, seem strange that hith-

erto no post-road had been extended to Provincetown. The bounty on cod-fishing vessels, it was feared would expire, and strenuous efforts were made to prevent the one and secure the other.¹

¹ The following letter will corroborate the above, and will serve to show how nominations were made — not in caucus, but by concert of action among leading and influential men, at that day; the intelligence of the community taking the lead, and addressing itself to the civil authorities of each town: —

“Barnstable, Nov. 3, 1796.

“To the Selectmen of Dennis.


“Gentlemen: On Monday next we are to assemble for the purpose of choosing a Federal representative for the Southern District. It is of importance to this county to elect one from amongst ourselves. A post-road is proposed to be established to the end of the Cape. A bill for that purpose was reported last session and passed the House of Representatives. It rested in the Senate from the pressure of more urgent business. The subject will be resumed the next session, and will require the particular attention of a man interested in the encouragement of every thing tending to promote the convenience, prosperity and happiness of his native county. The important subject of the bounty on cod-fishing vessels will probably demand the most vigilant exertion to prevent its expiring.

“In this part of the county we are united in favor of our present representative, Nathaniel Freeman Jr. Esq. We think he has deserved well of his constituents and merits the continuance of their confidence. Let us, then, by our united exertions in favor of this candidate, and by urging the importance of a full attendance at the election, secure to ourselves a representative acquainted with the situation and interest of this county and who has patriotism and zeal to pursue the best interest of his county and the community at large.

“We are, gentlemen, with respect for you and our fellow-citizens of your town,

“Your friends and humble servants,

“DANIEL DAVIS,
“SOLOMON FREEMAN,
“DAVID THACHER,
“JOHN DAVIS,
“EBENEZER BACON,
“JOSEPH DIMMICK.”

[ Obtained from the archives of Capt. T. P. Howes of Dennis, and from among the papers of Jeremiah Howes Esq.]

Col. Abraham Williams, who had held a prominent position as a public man, died this year.¹

In 1797, on the 4th of March, WASHINGTON witnessed the ceremony of the induction to office, of his successor, JOHN ADAMS.

INCREASE SUMNER was elected Governor of Massachusetts.² The town of ORLEANS, set off from Eastham, was

¹ Col. WILLIAMS, b. 1754, was son of the minister of S. of the same name. He m. Abigail, dr. of Hon. Nathaniel Freeman of S., Jan. 4, 1786, and d. Feb. 22, 1796, leaving issue: Anne Buckminster, Dec. 10, 1788, who m. Wm. Cottle of the Vineyard, and settled in Delhi, O.; Caroline, April 11, 1788, who m. John Cottle; Martha, Nov. 24, 1789, who m. Ellis Nye of Fairfield, Me.; and Abraham, Dec. 27, 1791. The widow m. 2d George Ellis of Fairfield, Me., March 15, 1801, and d. April, 1832.

² SAMUEL ADAMS, the previous governor, yet survived — himself among the most distinguished of patriots. Gov. Adams was early conspicuous by his talents as a political writer. From the vocation of a tax-gatherer, he rose to eminence. In 1765 he was a member of the General Assembly of Massachusetts; was, when the charter was dissolved, chosen member of the Provincial Convention; in 1774 elected to the General Congress; and in every station rendered invaluable service to his country's cause. His large heart glowing with patriotism; his eloquence simple, majestic, persuasive; his firmness corresponded with the vigor of his mind. In 1776 he united with his compatriots in signing the Declaration of Independence. When the constitution of Massachusetts was adopted he was chosen a senator, and was president of the Senate. In 1789 he was lieutenant governor, remaining in office till his elevation to the supreme magistracy. His integrity was proverbial, as his love of liberty was unconquerable; and though poor and sometimes struggling against adversity, his whole life was devoted to the cause of freedom. Revered and beloved as a neighbor and friend, even his political opponents respected him. Whilst his talents and many virtues commended him to the admiration of all, it was conceded that he was a true Christian the purity of whose life ever witnessed the sincerity of his profession. He died Oct. 2, 1803, æ. 82.

incorporated March 3, being the twelfth, by incorporation, on the Cape. An act was passed protecting the eel fisheries in the coves and salt-ponds in the newly incorporated town.

In 1798, the difficulties with France, which had for some time existed, still continued. During this state of hostility, the sons of Cape Cod were not inactive. Letters of marque were in the command of some of them, doing good service; and among these commanders, Capt. Rowland R. Crocker was not the least prominent.¹ France had long been insolent and taunting.

¹ Capt. ROWLAND ROBINSON CROCKER, whose name and pedigree appear on page 564, is an apt representative of that numerous class of Cape Cod men who with intelligent enterprise and marked ability have followed their vocation upon the seas, and then retired, respected and beloved, to pass the balance of their days in active employment still, holding fast to their integrity through an honored old age. We are happy to be able, through the highly valued aid of Mr. R. Crocker Bodfish of New York and the honorable munificence of quondam friends and associates of Capt. C. in New Bedford, to adorn our pages with an excellently engraved portrait and admirable likeness of him. It was executed by Buttré, of New York, and, we are persuaded, will not only be most acceptable to many of our readers, but stands in our history as a memorial of the friendship and high esteem of the gentlemen to whom we have referred, for the venerable man whose memory deserves, and must here receive, some further passing notice. We cannot, however, indite a better tribute to his worth than that contained in an article published in the *New Bedford Mercury*, Jan., 1852, immediately after his decease; and, though occupying more space than we can well afford, we adopt it almost entire:—

“It is not our purpose, nor is it in our power, to enter into any biographical details of the long life of this excellent and venerable man who has just been gathered to his fathers. Such inquiries as we have made, touching his prolonged and checkered career, have indeed disclosed to us the fact, that many men, more distinguished, and of larger importance in the world’s affairs, have hardly furnished more



Roland R. Crocker

Her cruisers had committed constant depredations on our commerce, capturing and condemning whenever they pleased to find the least pretext therefor. It had become necessary to adopt most vigorous measures to

materials for a romantic and fascinating narration. During the eighty years of his pilgrimage, he saw many lands, he traversed many seas, he suffered many changes, he underwent many vicissitudes, and he experienced various fortunes. Around his life gathered the poetry of the ocean; and among those who went down to the sea in ships, there were none upon whose character the ennobling influences of that vocation were more genial or more decided. The men of such experiences always leave behind them a story of dangers overcome, of moving incidents by flood and field, of hair-breadth scapes, —

‘Of being taken by the insolent foe,’ —

of distressful strokes suffered in youth — things indeed which old and young “seriously incline” to hear; but it is almost always a tale, too, of noble self-sacrifice, and generous self-denial, and prodigal self-forgetfulness, of existence perilled to preserve the existence of others, of unquestioned fidelity to delegated interests, and deep conscientiousness in the discharge of duty. Such has been the life of the ripe old man which has just terminated; and if it were written, there are many of more pretended morality which would teach less, as there are renowned romances the wonders of which would fall behind its undoubted verities.

“He came early in life to New Bedford, where he was apprenticed to some mechanical trade, which however he soon abandoned for the sea. He made one short whaling voyage, and afterwards sailed out of Boston, soon rising to the rank of commander. During the brief hostilities which arose between this country and the French government he commanded a letter of marque, and was captured by one of the enemy’s privateers of superior force. During the engagement he received a musket ball which passed completely through his body, happily avoiding however the vital regions. Upon this mischance, his first officer surrendered the ship greatly to the chagrin of Capt. Crocker who was bent upon a more obstinate resistance. He was taken a prisoner to France, where he remained until the cessation of hostilities.

“His reminiscences of his residence in that country, during the most extraordinary period of its history, were of a highly interesting

repel this insolence; and Gen. Washington had again been sought in his retirement and appointed lieutenant general and commander-in-chief of the army. But after much annoyance, whilst ample preparations were

character. He had taken the great Napoleon by the hand; he had familiarly known Paine at a time when his society was sought for and was valuable. Of this noted individual, we may in passing say, with his uniform and characteristic kindness he always spoke in terms which sounded strange to the ears of a generation which has been taught with or without justice to regard the author of "The Age of Reason" with loathing and abhorrence. He remembered Paine as a well-dressed and most gentlemanly man, of sound and orthodox republican principles, of a good heart, a strong intellect, and a fascinating address.

"After his liberation he once more engaged in marine pursuits. In 1807, while in command of the ship *Otis*, then lying in the Downs ready for sea, and with a cargo on board valued at £100,000, he exhibited a courage, skill, and presence of mind which then were thought to be very remarkable. His ship driven from her anchorage drifted on board a heavy frigate, carrying away his quarter, and crippling the vessel. His pilot, we believe his mate, with a considerable portion of his crew, abandoned the ship and urged him to do the same. Without a pilot, and short-handed as he was, he got under weigh, and ran for Dover harbor, in the midst of a tremendous storm, where he arrived in safety, although he had been quite given up for lost, preserving an immense amount of property, estimated, as we have said, at £100,000, together with a valuable ship.

"To show their sense of the courage and perseverance thus displayed, the underwriters at Lloyd's Coffee House presented to him a gratuity of £500, with an elegant silver cup, upon which was an appropriate inscription, together with the motto, '*Forti et fideli nil difficile.*' We have seen many letters of congratulation addressed to him upon this occasion, all breathing a spirit of the warmest friendship, and admiration of his character.

"Capt. Crocker afterwards for many years commanded various packet ships between New York and London and Liverpool, at a time when these floating palaces were just arriving at the perfection and elegance which they have since attained. We need not say that in this difficult service he achieved reputation and celebrity in the mer-

being made for war, intimations were given by France of a disposition to pacific negotiation, and a commission to this end was appointed. On arrival of our envoys at Paris, they found the government in the hands of

cantile world, and the esteem and friendship of thousands who crossed the sea under his protection. His urbane and gentlemanly manners, his interesting and varied conversation, his care for the comfort of those under his charge, and his humanity to all in suffering and want were as proverbial as was his skill as a mariner. In this service, it is not too much to say that he was constantly receiving the most varied testimonials, from the most various sources, of esteem and of gratitude; and to this day there are numbers who remember him as the pilot who weathered the storm which sent terror to their hearts, and as the bluff, old-fashioned gentleman who charmed by his good-natured conversation the monotony of sea-travel.

"There is one class of incidents in the life of the subject of this notice worthy of special, although it must be a brief, mention. *One hundred and sixty-four times* did he cross the broad Atlantic, and often did he encounter wrecked and shattered ships, upon whose fast-sinking hulls the starved and exhausted seamen had lain down to die, or from which came the faint cries of despairing and half-crazed women. At such times we may say that it was his invariable rule to run every risk and to rescue the sufferers at every hazard.

"There was not a particle of selfishness in his character on shore, but at sea, in such emergencies, he was almost unmindful of the dictates of prudence. In a record of such rescues now before us, written in his own hand, grown tremulous by age, he says, in entering an instance of more than ordinary danger, 'How little a man knows himself when he sees a fellow-being in danger of his life!' — meaning unquestionably that then the sense of personal danger is quite lost in the overpowering instincts of humanity. There is something else too in this record which we ought to notice. If mere profession and arrogant pretension alone make a man religious, then Capt. Crocker had but small claim to that character. But if a warm and generous humanity, strong only in its aspirations, but meek and lowly in the presence of his God, makes a man a Christian, he was as true a one as any church in the universe can produce.

"It has been said that in spite of outward appearances, no class of men is more truly reverential than that which studies the Creator and

Bonaparte. He having never participated in the transactions that had disturbed the peace of the two countries, negotiations were readily commenced, which eventuated in a treaty of peace, Sept. 30, 1800.

the Preserver in the wonders and fortunes of the great deep. This modest journal before us is entitled, 'A statement of cases of distress wherein R. R. Crocker *was the instrument of a kind Providence* in saving thirty-two fellow-beings from a watery grave.' Through it runs the spirit with which it commences. Thanks for success are uniformly given where they are due. Not a favorable wind springs up, nor is an angry billow calmed, at the instant of a threatened catastrophe, but through the goodness of God.

"The kind, generous, large-hearted old sailor, who 'loved his fellow-men'—will he not find, like the Arab in the story, that his 'name leads all the rest' in the record of those 'who love the Lord'?"

"In April, 1833, the post of secretary of the Bedford Commercial Insurance Company in this city becoming vacant, he was invited to assume its duties, which invitation he accepted. In 1834 he was elected a member of the House of Representatives of this State; but continued to fulfil the duties of secretary, for which he was particularly well fitted, until 1845 when an assistant secretary was elected. This relieved him from cares and responsibilities which his increasing years rendered onerous. He was afterwards, upon a change in the management of the company, elected vice president, almost a nominal office, but to which, by the consideration of the stockholders, a handsome salary was attached. He continued to frequent the office of the company, and was there as usual upon the Saturday preceding his death. His general constitution remained unimpaired to the last. His 'age' was 'as a lusty winter, frosty but kindly.' He had no disease except the organic one of which he died. All will remember him, not in the advanced stages of senility, with impaired intellect, and a bowed and broken frame, but erect, hale, and hearty, with a firm step, and almost juvenile activity.

"When a man passes through a prolonged life not only without making an enemy, but constantly creating about himself warm and devoted friends, the conclusion that he was a good man is necessary and inevitable. This was the lot of Capt. Crocker. We never knew a man more universally beloved. He attached every body with

Acts were passed in General Court to prevent "damage to meadows and beaches lying in and adjoining on the north-east part of Dennis, between Quivet harbor on the east, and Sessuit harbor on the west;" also for "regulating the fishing for alewives in Falmouth;" and "to incorporate the Baptist Religious Society in Harwich."

In 1799, Gov. Sumner died,¹ and Lt. Gov. MOSES GILL

whom he came in contact—his contemporaries in age, young men and women, and little children. He had always a kind word and a smile ready for all. But his goodness was not limited to words or smiles. He was generous to a fault. He never could seriously think a dollar he had his own, for it was the property, if you might judge by his actions, of the first man who asked him for it. He was not rich in this world's goods, but he might have been wealthy with a tithe of that prudence with which most men guard their pockets. As it was, his overflowing generosity often led him into difficulties which pained his sensitive nature, for he had the pride as well as the heart of a gentleman.

"All that is passed now. 'Weary, and old of service,' he has gone to his rest and to his reward. His ship is safely moored in eternal harbors; the vicissitudes of his voyage of life are over now. Providence was good to him to the last, and he died as he wished to die, suddenly, and without prolonged pain. His venerable form will no more appear in its accustomed and familiar place; his cordial voice will no more offer the civilities of the hour; he has told his last story; he has done his last kind act. Yet he leaves behind him a memory green and fresh as were his declining years—a memory that will be cherished in as many hearts as knew his own, and in every clime that he ever visited."

¹ Gov. INCREASE SUMNER, having been both representative and senator in the General Court, was placed on the bench of the Supreme Court in 1782, which position he occupied until elected to the gubernatorial office. He possessed a strong and well-balanced mind, great self-command, candor, and moderation. He early made a profession of his faith in Christianity, and his whole life was correspondent with that profession. He died June 7, 1799, æ. 52.

administered the government of the State.¹ The decease also of the venerable Daniel Davis occurred April 22.² And before the close of the year the country was called to mourn the demise of the great, venerated, and beloved — the FATHER OF HIS COUNTRY, who expired, Dec. 14, calmly and peaceably at his residence at Mt. Vernon. The spontaneous tribute of respectful and affectionate regard for the illustrious deceased, was as much to be expected as it was heart-felt and sincere. The fruits of WASHINGTON'S labors happily survive, as also his great and good example.³

¹ Lt. Gov. GILL was "an ardent patriot and friend of liberty," and his talents very respectable.

² Of Hon. DANIEL DAVIS we have spoken, p. 468. Descended from ROBERT DAVIS who at the age of 30, with Margaret æ. 26, embarked at S. Hampton, in the ship Confidence, John Johnson, master, April 24, 1638, for N. Eng., and was a freeman in Barnstable before 1640, — b. probably in 1608, — who by his wife Anne, had Deborah, Jan. 1645, in Barnstable; Mary, April 28, 1648, who probably m. Benj. Goodspeed, about 1667; a son who d. 1649; Andrew, May, 1650; John, March 1, 1652; Rob't, Aug. 1654; Josiah, Sept. 1656; Hannah, Sept. 1658; Sarah, Oct. 1660; and, we conclude, Joseph and Mary — (for the will of Rob't, June 29, 1693, mentions his wife Anne, sons Joseph, Josiah, Andrew, and Rob't, and drs. Deborah Greene, Sarah, Mercy, Mary, and Hannah Dexter,) — perhaps, also, "Tristram, (s. of Rob't of Yarmouth, as says Deane, in Scit. 1695" — though uncertain;) his father was JOSEPH, who m. Hannah, dr. of James and g. dr. of elder Henry Cobb, March, 1695, the issue being Rob't, March 7, 1696 7; Joseph, March 23, 1698-9; James, July 30, 1700; Gershom, Sept. 5, 1702; Hannah, March 5, 1705, who m. Dimoc; Mary, June 4, 1707, who m. Davis; Lydia, Feb. 12, 1709; and DANIEL, Sept. 28, 1713, who d. April 22, 1799, æ. 86:6:13.

³ In a charge to the grand jury, at the Court of General Sessions of the Peace, March term, 1803, (an extract from which at the request of distinguished men was published by the grand jury, in connection with the entire charge given in 1802 — "solicited" by the jurors, and at the request of the "justices of the court, gentlemen of the bar, and others,") Hon. Nathaniel Freeman, "presiding justice in the

CALEB STRONG was governor of the Commonwealth for the year 1800. The 22d of February was generally observed as recommended by the public authorities, in remembrance of the illustrious WASHINGTON, — the anniversary of his *birth*.

said court, and first justice of the Common Pleas," noticed the event of the death of Gen. Washington, and other contemporaneous afflictive dispensations, in the following terms:—"Since the last term in which the yearly grand jury were impanelled, we have lost our much esteemed and venerable first magistrate of this court, the Hon. JUDGE DAVIS. This mournful event associates with it the recollection of others. The death of our excellent first magistrate of this Commonwealth inflicted a wound in the bosom of its citizens too grievous to be yet forgotten. But that of our beloved and illustrious WASHINGTON, has excited such universal sympathy in grief as perhaps no nation ever experienced; and it is impossible to proceed in the business of courts founded on the basis of that freedom and independence which his life affected, without bewailing his death! I therefore solicit the indulgence of this honorable court, of you, gentlemen of the jury, of the gentlemen of the bar, and of the inhabitants of this county, present, whilst I most heartily condole with you all on the loss our nation has sustained in the death of this illustrious man. I shall not attempt to eulogize his character; for the history of his life, so fraught with virtuous action and heroic deeds, — his letters, speeches, and addresses, so replete with sound policy, philanthropy and piety, — his administration as President of these United States, so strongly marked with the love of justice, peace, and good government, — related in the plain language of truth, would be his best eulogium. We all know, gentlemen, that the highest honors have been justly paid him by his fellow-citizens; and that he has more than repaid our confidence by the lustre which his unrivalled glory and resplendent virtues have reflected back on his country. It may not be amiss, however, that we realize what strong obligations are by this great example imposed on us and on all public servants, to imitate his virtues, his patriotism, and his piety. In arms, his brilliant successes, — in counsel, his consummate wisdom and policy, — in the government of his country, its happiness, peace, and increasing prosperity, he piously ascribed to Divine Providence — to the beneficence of his and our God; and in the close of his administration most ardently

A treaty of peace with France having been concluded, the provisional army was soon disbanded. The war, though short, had given rise to some encounters at sea, encouraging hopes of the future achievements of our navy.

This year, in Nov., Congress, for the first time, opened its session at Washington City. Party asperities were now at their greatest height. The republicans prevailed, after a severe contest, and THOMAS JEFFERSON was elected to succeed Mr. Adams at the close of his present term. Notwithstanding some of the prominent measures of Mr. Adams' administration were much con-

recommended us, with persevering faith and confidence, to the same Almighty Guardianship for future protection. Whilst we therefore celebrate the virtues of the hero and the sage, and lament his departure, we should copy his piety, by gratefully acknowledging the higher praises due to the BEING who raised up, qualified, and so long preserved for us so shining, and, as I hope, efficacious an example; and that notwithstanding He has recalled to Himself our WASHINGTON, He has left us an ADAMS."

The request for the publication was signed, among others, by the following prominent men present, "being desirous that the charge of His Honor, Justice Freeman, should appear in print, esteeming it an excellent depository of sound moral, religious, and political principles, — viz.: by "Allen Holmes Esq., Eben'r Bacon Esq., Hon. John Davis, Hon. John Dillingham, Joseph Dimmick, Sheriff, Wendell Davis Esq., Capt. Benj. Bangs, Eben'r Broadbrooks Esq., Capt. Isaac Clark, Eben'r Crocker Esq., Capt. Joseph Crocker, Joseph Doane, Esq., Timo. Doane, Elisha Mayo Esq., David Nye Esq., David Scudder Esq., James Sproat Esq., Richard Sears Esq., Capt. Anthony Gray, Shubael Hatch, Thos. Jones Esq., Sylvanus Nye Esq., Major Joseph Parker, Capt. Samuel Parker, Josiah Sparrow, Lt. Samuel Shiverick, Col. Thos. Thacher, Hon. Joshua Thomas, Kilborn Whitman Esq., Benj. Whitman Esq., Sylvanus Gorham, Foreman of the Grand Jury, Rev. Gideon Hawley, and Rev. Oakes Shaw." — The charge itself we omit as not pertinent to our brief history of proceedings, giving the extract only from the charge of 1800.

demned, and the conflicting interests and passions of party strife caused not a little commotion in the country and were the occasion of some perplexity to the government, commerce, agriculture, and the arts, flourished, beyond all former example, throughout his administration.

The present national election was the first in which political parties were fairly pitted against each other; and, as such, is full of interest, illustrating more instructively than could the most able political treatise, the democratic condition of society; and showing the agencies by which a political revolution, (for such, in any part of continental Europe it would have been regarded,) may be effected.

It was the first time that the election of President had come before Congress since the adoption of the Constitution. The fact that the contest brought matters to a crisis, testing the strength of the Constitution by putting the greatest possible strain on our whole political machinery, clothes this election with a species of interest that attaches to no other in our political history. There was ample time for intrigue, if there were such a disposition indulged; for it was only on the 17th of Feb., after thirty-six ballots, that the question was settled. This election, it may also be remarked, had still other sources of interest: from that time and event, as from a fountain, flowed for a long period the great political streams known by their distinctive appellations.

The census completed, showed 5,319,762 inhabitants in the United States; exports, \$94,000,000; revenue, \$12,945,000. The census of this county, was 19,293.

Rev. John Mellen retired from the charge of the

church at Barnstable this year;¹ and was succeeded by Rev. Jotham Waterman the year following.

In 1801, Mr. Jefferson, on coming into power, having removed from office many who had held responsible and lucrative places, on the ground that they were too exclusively of the party that had opposed his election, and that occasional changes were salutary, great opposition to his policy was exhibited. It must be acknowledged that those dismissed from office were generally among the most violent of his opponents; and it may be remarked that it was chiefly in the treasury department that this instrument of reform was applied. That the influence of the treasury is pregnant most with danger to the purity and integrity of free institutions, all will now concede. Mr. Jefferson aimed also to reduce the number of offices under executive patronage, and to introduce the strictest economy.²

¹ Rev. Mr. MELLEŒ was son of the Rev. John Mellen, minister at Sterling, where he was b. July 8, 1752; grad. H. C. 1770, and was some time a tutor in college. In his ministry he was respected, beloved, and successful. After leaving Barnstable he resided in Cambridge, where he d. Sept. 19, 1828, æ. 76. Several of his discourses were published, and, among them, a Dudleian lecture, 1799, and an Election Sermon, 1797. He was brother of Chief Justice Mellen of Me., and one of his drs. m. Professor Frisbie of H. C.

² We deem it pertinent to the task we have in hand, to record here an extract from the charge of Justice Freeman, in 1801, March term, (published in connection with the charge of 1802, to which we have heretofore alluded,) adverting to the present posture of political affairs: "In an enlightened age of the world, with the most perfect freedom and cool deliberation, we chose and framed our [State] Constitution: (not to be revolutionized again and again at the caprice of every aspiring demagogue; but, favored by the wisdom and experience of all ages and countries, invoking the wisdom of Him who is its fountain, with the true love of government and social order, we estab-

An act passed the General Court to regulate the fishing for alewives in the brook running out of Wakepee Pond, through the Indian plantation of Mashpee, into the sea ; also to prevent damage to the harbor of Wellfleet. — The Hon. David Thacher of Yarmouth died Nov. 9, aged 72.

In 1802, negotiations were set on foot which finally eventuated in the purchase of Louisiana territory. The

lished it :) the basis of our laws, as on a rock which we hope will never be removed. And such also is no less true of the Constitution of the United States. Twelve years' experience of its government, attended with unexampled success and prosperity notwithstanding the depredations on our commerce, the troubles and jealousies excited, and artful attempts to divide and corrupt us made by European belligerent powers, fully evince both the excellency of that Constitution, and the wisdom, integrity, fortitude, and prudence of the two illustrious characters who hitherto have administered it. Great applause, now at the close of their labors, is certainly a tribute of gratitude and justice due to them from every court in the United States and every citizen in the Union, for their virtues so conspicuously displayed that it must be acknowledged the Giver of all wisdom afforded his aid. From the great abilities and literature of the present ; his excellent conciliatory inaugural address exhibiting a beautiful epitome of his political, which in fact is the *true* federal creed ; together with a recognition of the Great Ruler over all ; I hope we shall never cease to be blessed in the first magistrate of United Columbia. Although, by the will of the majority, to which we must ever submit, we have with reluctance, for the present, released from that high station his compatriot, the pride and glory of New England, — the long-tried, successful friend of America, whose excellence it was not possible to think could be outvied ; yet we may console ourselves with the thought that in all well-regulated republics, — founded on the basis of equal liberty, controlling nothing but licentious passions, encouraging every virtuous and laudable pursuit of genius and improvement, — the GREAT SUPREME delighting to protect, — great and excellent characters are congenial, and not confined to one person, family, or State only."

sum paid was \$15,000,000. The territory purchased embraced all that vast territory west of the Mississippi, nearly doubling the extent of the Republic.

An act in addition to "An act to prevent damage being done to the meadows lying in the township of Yarmouth," since the first act incorporated by the name of Dennis, "called the Nobscusset meadows with a small commonage of lands thereto adjoining;" also an act regulating the hunting of deer — prohibiting the killing of them between Jan. 1 and Aug. 1, under a penalty of \$10; and making it illegal to hunt them at any time with dogs or hounds, were passed.

In 1803, Feb. 19, the North Parish of Harwich which had, since 1747, remained a precinct distinct from the South Precinct, became incorporated as a town by the name of BREWSTER.¹

The Indian plantation at Herring Pond, bordering upon Sandwich, was reported as consisting of 2683 acres, valued at \$14,140. The number of Indians was 64, viz.: adults, 14 males, and 35 females; children under age, 15. — An act was again passed, to regulate the fishery in the brook running out of Wakepee Pond into the sea, in the Indian plantation of Mashpee.

In 1804, Mr. Jefferson's first official term, during which the state of the country had continued, as at his first election he found it, highly prosperous, being about to expire, he was reëlected by an almost unanimous vote.²

¹ The act for the division of the town of Harwich and the incorporation of Brewster was accompanied by very singular provisions, as will appear in future pages.

² At the previous election, Mr. Adams had received 65 of the electoral votes.

The war between Great Britain and France, which had involved nearly all the nations of Europe, had hitherto secured to the United States, maintaining a strict neutrality, the peaceable enjoyment of commerce with the belligerents, from which the people of the Cape, in common with other parts of the country, derived great advantage: but this state of things was now threatened with interruption. The distressed and wretched condition of Europe was not only embarrassing to the government of the United States, involving a labyrinth of difficulties, but began greatly to distract commerce.

Sandwich Academy was incorporated, Feb. 21, and a grant was made of a half-township of six miles square of unappropriated Province lands.¹

In 1805, the animosities of parties were inflamed to a sad degree. The depredations by France and England on American commerce occasioned great irritation. Against England especially, complaints were loud and clamorous. The coasts were infested by foreign privateers and public vessels that pried into every harbor and creek. The belligerents seemed to have adopted entirely new and extraordinary principles of commerce, taking to themselves the right of trading where neutrals were denied. The British Admiralty had, in effect, imposed prohibitory laws on American commerce, declaring vessels engaged in conveying West India produce from the United States to Europe, legal prizes. In addition to this, a controversy existed between the United States and Great Britain in regard to the right of searching neutral ships and impressing seamen.

¹ See *Annals of Sandwich*.

In May, 1806, the British government having declared all the ports and rivers from the Elbe in Germany to Brest in France in a state of blockade; and, by this order, American vessels trading with the interdicted ports, being liable to seizure and condemnation; and, in Nov. following, the Emperor of France having issued his *Berlin* decree declaring the British Islands blockaded, and prohibiting all intercourse with them, — which decree violated the treaty between the United States and France, as well as the law of nations; great dissatisfaction was felt throughout the country, but especially in maritime places.

An act was this year passed incorporating Jason Ayres and others as “the Truro-Pond Harbor Association, for the purpose of opening a passage from the sea into a certain pond or quagmire lying on the west side of said town, near the sea, and for clearing out said pond so as to form a convenient harbor.” It is almost painful to contemplate the numerous and so often unsuccessful attempts of the enterprise of the people to secure improvements tending to the furtherance of their industrious pursuits. — The right was also conceded to the United States, of land for lights near the entrance of Chatham harbor, — twelve acres with jurisdiction. — Col. Thomas Thacher of Yarmouth died this year, Feb. 24.

Gov. Strong, who had presided over the Commonwealth several years, was, in June, 1807, superseded by JAMES SULLIVAN.

The commerce of the country was still embarrassed by European difficulties. The decree of Bonaparte, at Berlin, was retaliated by an order issued Jan. 7, by which all coasting trade with France was prohibited.

Difficulties between this country and England increased, and wore a threatening aspect.

In November, the British orders in council were issued by which all neutral vessels trading with France were compelled to stop at a British port and pay duty; and, in consequence of this measure, the *Milan* decree followed in December, by which every vessel which should submit to British search, or should consent to pay any pecuniary exactions whatever, was declared to be denationalized, and subject to confiscation. The same month, Congress laid an *embargo* on all the shipping in the United States.

This last measure, although suggested by the fact that otherwise American ships would be constantly exposed to capture, operated to the very great detriment of American commerce, and caused much distress and great dissatisfaction every where; but the effect of the embargo was especially disastrous to the CAPE. The fisheries were abandoned, vessels thrown out of employ were dismantled, and gloomy forebodings prevailed.

Again, legal enactments were solicited to regulate more strictly the hunting of deer in the county — so watchful for the preservation of this beautiful tenant of our forests were the people.

The Rev. Mr. Shaw, long identified with the pastorate of the West Church in Barnstable, was this year removed by death, greatly honored and lamented; and was succeeded by Rev. Enoch Pratt.¹ The Rev. Jon-

¹ REV. OAKES SHAW was son of Rev. John, who grad. H. C. 1729, ord. in S. Bridgewater 1731, who was son of Mr. Joseph, settled in E. Bridgewater 1698, who was son of Mr. Abraham, of Dedham, 1637. The tomb-stone of Rev. Mr. S. bears the following inscription: "Rev. Oakes Shaw, b. at Bridgewater 1736, grad. H. C. 1758, ordained in this place 1760, died Feb. 11, 1807. Benevolence,

athan Bascom of Orleans also died this year, and the Rev. Gideon Hawley of Mashpee.

In 1808, the Cape towns presented a saddening aspect. Navigation was virtually suspended; in our harbors were dismantled vessels; on every hand were seamen deprived of employment, their means of supporting their families in a great measure cut off. In this state of things, it would have been strange were there not much discontent. Petitions from all parts of the county, deprecating the embargo, setting forth its disastrous effects, and asking relief wholly or in part, were forwarded to the President of the United States. Mr. Jefferson, however, continued to justify the embargo. To submit our commerce to prohibitions and exactions from a foreign power, he conceived, would be to surrender our independence; to resist by arms, was war without due regard to our circumstances or the voice of the people; and the only alternative presented had been that preferred by Congress, of suspending a commerce surrounded by such unexampled difficulties. The course, he thought, secured to our citizens their property; to our country, its mariners; and gave time to the belligerent nations to revise their course — which, he considered, was as much opposed to their own true interests as to our rights. Although he had the power, in certain contingencies, to suspend

affection and sincerity characterized and endeared him in all the relations of social life. With unaffected piety and zeal, with unshaken constancy and fidelity, he discharged the various duties of the pastoral office. To perpetuate the remembrance of his virtues and talents, to prolong the influence of his character, and to testify their respect for his memory, this monument is gratefully erected by a bereaved and affectionate people." Mr. Shaw was father of the present Chf. Just. of the S. J. C. of Massachusetts.

the embargo, he felt that no changes had occurred to warrant the act, or change the policy of government. The whole question, therefore, he felt constrained to leave to the decision of Congress.

In some of the towns, petitions were sent to the State Legislature, imploring that body to devise and pursue some measures — such as their best judgment might dictate — for the relief of the maritime interests of the country. — An act in addition, for the better regulating of the Mashpee plantation, provided, this year, for the establishment of a Board of Overseers.

JAMES MADISON was now elected President of the United States from the 4th of March next, Mr. Jefferson having declined a reëlection. Gov. Sullivan, whose health became enfeebled soon after his second election to the gubernatorial office, died Dec. 10,¹ and Lt. Gov. LEVI LINCOLN became Governor *ex officio* for the time being.

In 1809, CHRISTOPHER GORE was elected Governor of

¹ Gov. JAMES SULLIVAN, who was eminent as a lawyer, and was King's Att'y on the approach of the Am. revolution, took an early and active part on the side of his country. He was a member of the Prov. Cong. in 1775; and subsequently a judge of the Sup. Court. He was also a member of the convention of 1779 and 1780 for framing the State Constitution; and in 1783 was a delegate to Congress. Besides filling various other important offices, he was from 1790 to 1807, attorney general. Without the advantages of collegiate education, he was both the friend of literature, and a literary man; and the many high positions he occupied are proof of his talents, his industry, his learning, and the confidence that was reposed in his integrity. In all his relations he was exemplary and honored. As chief magistrate, he regarded himself as not the delegated officer of a party, but of the whole people, and his effort was ever to mitigate the violence of parties. Early a professor of the Christian religion, he adorned that profession to the last, and d. Dec. 10, 1808, æ. 64.

Massachusetts, the course of Mr. Lincoln in reprehending resistance to the embargo laws, having rendered him unpopular in the State, and working his defeat as a candidate for the office.¹

Delegates assembled from the several towns in the county, to concert measures to secure for the county a port of entry. Petitions to this end were forwarded to Congress.² An act was passed, Feb. 23, to incorporate Gorham Lovell and others, under the name of "The First Baptist Society in Barnstable and Yarmouth;" also, March 1, to incorporate Anthony Baker and others as "The First Methodist Society in Harwich." — A deed of four hundred acres given by the Mashpees for a parsonage, was confirmed by legislative action, June 19. — At the same General Court, the act of 1791, entitled, "An act to prevent damage being done on the meadows and beaches lying in and adjoining on the north side of the town of Harwich, between Skaket-harbor on the east and Quivet-harbor on the west;" also, "An act in addition," of the same year, made perpetual by the act of 1797, were repealed. Renewed again in 1811. Richard Collins and others were incorporated by the name of "The Massachusetts Salt Work Company."

The enforcement of the embargo gave way, a few days before Mr. Jefferson's retirement, to an act of Congress, called the Non-intercourse Act, interdicting

¹ Gov. LINCOLN, who was Att'y Gen. of the U. S. in 1801 to 1805; Lt. Gov. of Mass. for 1807 to 9, and became acting Gov. on the decease of Gov. Sullivan, was a zealous and able advocate of republican or democratic principles. He d. Ap. 14, 1820, æ. 71, and was followed to the grave by two sons, since governors: Levi, Gov. of Mass., and Enoch, Gov. of Maine.

² See Appendix A.

all trade and intercourse with Great Britain and France. It has been supposed by some that the non-intercourse restrictions were a greater injury than could have come from actual war. Sufficient provocation for war, it was thought by many, had already been given. One species of indignity that was keenly felt, and of which loud complaint had been made, had already been too long endured — the impressment of seamen from on board American vessels, by British men-of-war. The similarity of language and origin made it difficult to distinguish, nor had British officers cared much to distinguish, between British and American seamen, when desirous of procuring recruits. The instances were many in which Americans had been compelled to serve in the British navy. The right of search should have been peremptorily denied long before it was, and decisive measures adopted at any hazard. This is a point now generally, perhaps universally, conceded.

In 1810, ELBRIDGE GERRY, afterwards Vice-President of the United States, was elected Governor of the State, to succeed Gov. Gore.¹ In consequence of the non-intercourse with Great Britain, domestic manufactures began to be attempted on a larger scale. It is a reproach to our country that the success of these in-

¹ Gov. GORE was Dist. Attorney for Massachusetts in 1789, and a commissioner under Jay's treaty in 1796 to 1804, in which service his ability and efforts were applauded. His popularity as Governor was not aided at all by the knowledge of the fact that he was descended from one who at the beginning of the revolution adhered to the royal cause. In 1814, Gov. G. was a senator in Congress. He is represented as having been a fine scholar, of acute and discriminating mind, of pure morals, and of dignified manners. He d. Mar. 1, 1827, æ. 68.

stitutions is so contingent on a state of war. Before the close of the year, Nov. 5, Congress was assembled by special proclamation, and the country began to realize that we stood on the verge of war.

Gen. JOSEPH OTIS, who had long held a prominent position in the county, as a revolutionary patriot, a military officer, and a merchant, died Sept. 23, æ. 82.¹

¹ Gen. OTIS, 2d son of Col. James, was ap. Collector of Customs by Gen. Washington. He was also many years Clerk of the C. C. P. and member of the legislature. His first m. was with Rebecca Sturgis, the 2d with Martha (or Maria?) Walter of Roxbury, who survived her husband till 1826. The issue by the 1st m. was Rebecca, Aug. 25, 1754, who m. Sam. Williams Esq. of Fairhaven; James, Sept. 20, 1755, who grad. H. C. 1775, and was lost at sea 1790; Elizabeth, Jan'y 12, 1760, who m. Dr. Geo. Osgood of Andover; Joseph, 1762, who d. inf.; a daughter who d. early; by the 2d m., Joseph, Sept. 1771, who removed to Kentucky; Nath'l Walter, Jan'y, 1773, who m. 1st, Nancy Bourne, of Be., and removed to Matanzas, then to N. Orleans, a planter; John, Ap. 1774; Thomas, Nov. 1775, who d. Aug. 14, 1803, at Albany; Charles, July, 1777, who d. Aug. 14, 1794, in Charleston, S. C.; a son, Feb. 1779, who d. early; William, Feb. 1783, who d. at Washington, Ap. 7, 1837; Arthur, Dec. 1784, who d. July 24, 1801, in Havana; Maria, 1787, who m. Rev. Philip Colby of N. Middleboro', and d. May 20, 1821; and Mary Ann, who m. Hon. Ebenezer Gay of Hingham.

CHAPTER XXV.

The Alternative. — Religious Freedom. — The Courts. — Embargo. — Political Asperities. — Declaration of War. — Prostrating Effect on the Cape. — Position of the Country. — Politics of the Cape. — Exposure. — Demands of the Enemy. — Local Legislation. — Internal Dissensions. — Peace. — Returning Prosperity. — Algerine War. — Bank of the United States. — Awful Storm. — Manufactures. — Hersey Bequest. — Lighthouses.

IN 1811, fresh outrages were perpetrated by Great Britain on the American coasts, and the sad alternative was presented to the American people, either to suffer present evils, or to take up arms. The repeal of the embargo and the substitution of non-intercourse, had produced no favorable change in the aspect of affairs. Some preparation in anticipation of war began now to be made. The regular army was increased to 35,000 men; the navy was also increased; volunteers were called for, and a governmental loan of \$11,000,000 was negotiated.

By the third census, it appeared that the population of the United States was 7,239,903; that of the county, 21,372.

The act of the General Court, June 18, respecting public worship and religious freedom, was a move in the right direction; and one loudly called for by the exigencies of the present state of religious opinions.¹

¹ The act was prefaced by the following Preamble: "Whereas it is provided by the Constitution of this Commonwealth that every denomination of Christians demeaning themselves peaceably and as

—Solo. Cook and others were incorporated as “The Methodist Episcopal Society in Provincetown;” and Barna. Merchant and others as “The Methodist Society of Falmouth and Sandwich.”—The town of Barnstable was authorized to sell ministerial lands and invest. The act establishing Circuit Courts of Common Pleas was passed, June 21; and the counties of Norfolk, Plymouth, Bristol and Barnstable were constituted the Southern Circuit. Thus ended the former long-continued arrangement, introducing a new order of things, which has been destined to frequent modifications and changes. An act was also passed establishing the Court of Sessions; repealing the Act of 1809, whereby the powers and duties of Courts of Sessions had been transferred to the Courts of Common Pleas. The Rev. Samuel Parker of Provincetown died Ap. 11, and the Hon. Ebenezer Bacon of Barnstable Nov. 28.

In 1812, CALEB STRONG was again Governor of Massachusetts, and so continued, by successive elections, through the exciting period of the war. That the contest between political parties, resulting in this change, was spirited and attended by unusual exhibition of party asperities, may well be supposed.¹

good subjects of the Commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another, shall be established by law,” &c. Citizens were henceforth exempted from taxation for the support of any other than the religious instruction which they conscientiously approved and maintained.

¹ Gov. GERRY, whose early life was devoted to commercial pursuits, became a member of the legislature at the memorable crisis of 1773, and was on the important committee of inquiry and correspondence. The Provincial Congress of 1775 appointed him on the

Again, April 3, Congress passed an act laying an embargo, for ninety days, on all vessels within the jurisdiction of the United States; which measure it was well understood was preparatory to a declaration of hostilities against Great Britain. How extensively the edict was operative, or to what extent a systematic course of smuggling was pursued in some parts of the country, it is not for us to say; but all past experience has shown how temptations to violations of prohibitory laws which subject the citizens to grievous privations and suffering, the policy of which laws are questionable in the view of any considerable numbers, are multiplied. Such is the nature of man that the temptation becomes almost irresistible; and it needs no spirit of prophecy to foretell the influence of this state of things in gradually undermining the morals of society, introducing a laxity of principle in political action, and leading to contempt of law.

A formal declaration of WAR was made June 18, the prominent reasons for which, as set forth, were the impressment of American seamen,¹ and the claims of

committee of public safety and supplies. He was an object of vindictiveness on the part of the British. Elected to the Continental Congress in 1776, he continued a member to 1785, and was distinguished by his patriotic course. His skill in finance also gave him much prominence. As a member of the convention for framing a constitution for the United States, he was, in respect to some important measures, in the minority, especially touching the executive and judicial powers. He was four years in Congress, and in 1796, minister as colleague with Marshall and Pinckney to the French Republic. He was inaugurated VICE-PRESIDENT of the United States in 1813, and d. at Washington, Nov. 23, 1814, æ. 70.

¹ The practice of searching for British seamen had, until 1807, been confined to private vessels. Then, a 50 gun ship demanded the right of a U. S. frigate of 36 guns, killing and wounding about 20 men. This outrage enkindled a feeling of deep indignation in every

England in derogation of our rights as a neutral nation.¹

The interests of navigation suffered severely ; but, although many in different parts of the country, and especially in New England, denounced the war as both impolitic and unjust, the popular voice of the nation was in its favor. Abundant provocation had long existed : yet, after all, such was the influence of the opponents of the measure, and such was the distress occasioned by the suspension of commerce and the difficulty of obtaining supplies of provisions in the non-agricultural districts, that a large portion of the commercial interests were by no means so enthusiastic in its support as in the times of the revolutionary struggle. That war was not commenced too soon for the national honor, time, we think, has proved.

The warmth of party feeling was at no time abated during the struggle ; still, the general government was sustained, and was not without able and determined support in Barnstable County, notwithstanding all the privations and inconveniences that the war occasioned. The country, with its eight million of inhabitants, increased resources, and all the elements of an efficient army and navy, was far better prepared to vindicate its rights than at the opening of the war of independence ; but both experience and enthusiasm were measurably wanting every where until the contest was somewhat advanced. Our antagonist was powerful ; internal

American bosom. The President at once issued his proclamation, ordering all British armed vessels to leave the waters of the United States, and forbidding them to enter until satisfaction should be made by the British government.

¹ The bill declaring war passed the House of Representatives by a majority of 79 to 49 ; and the Senate by a majority of 19 to 13, only. The representative from this county was in the majority.

divisions were embarrassing; and many difficulties were to be overcome.

The position of this county in regard to the war was by no means the result of unanimity of sentiment. That there were parties here holding quite opposite views might naturally be inferred from what was the position of the State, without recourse to facts as exhibited by political strifes. Although the party which advocated war measures was politically ascendant in this county, those whose views conflicted with the policy of the national government were far from inconsiderable in numbers; nor was the opposition destitute of men of high attainments, moral worth and respectability.¹ No portion of our common country,

¹ We have no disposition to enter with minuteness into the perplexities and discordant views of this period; but the fact that this county was on the side of the national administration constitutes an important item in its history which may not be overlooked. The state of affairs and the feelings of the moment are clearly seen in all the publications of the day. We know not a better illustration of the diverse feelings that prevailed, than this, which certainly will not be discredited by the surviving actors:—Gov. Strong, issuing a proclamation for a fast in consequence of the war, commences, “Whereas it has pleased the Almighty Ruler of the World to permit us to be engaged in war with the nation from which we are descended, and which has been for many generations the bulwark of the religion which we profess;” and, soon after, delegates from the several towns in the county assembled for political purposes, preface a series of resolutions with the counterpoise, “Whereas it has pleased the Almighty Ruler of the World, in his righteous providence, to permit us to be engaged in a war against the Nation from which our ancestors were driven by persecution, and which, for every succeeding generation, did not cease to oppress and injure us, until we were compelled to rise, in the majesty of our strength, and shake off the yoke of bondage. And whereas that nation has ever since borne towards us an implacable enmity, which has manifested itself in wrongs, insults, and indignities, to which no independent People,

as during the revolutionary period, could be subjected to greater deprivations by the war, than this; and yet the majority resolved, "It becomes us, in imitation of the patriots of the revolution, to unite in the common cause of our country, patiently bearing every evil, and cheerfully submitting to those privations which are necessarily incident to a state of war. . . . We consider the war in which we are engaged as just, necessary, and unavoidable, and we will support the same with our lives and our fortunes."¹ That such was the attitude of the County of Barnstable, is a fact that it were folly in any individual to disown, and worse than folly in an historian to ignore. Whatever of honor or otherwise the county may claim for its decision in this matter, we leave to the reader and to posterity to decide. *Our* aim is simply at impartiality in a record of facts.

By the general suspension of commerce, large num-

mindful of their dignity, could submit; and war, or the surrender of our sovereignty, was the only alternative."

¹ The posture of the majority in the county, in regard to both the State and National governments was this: "*Resolved*, That the Honorable Isaiah L. Green, our congressional representative, has done nobly, and deserves well of his country; and that he enjoys the confidence of his constituents. That although, as will appear by the votes of April last, the present chief magistrate of this Commonwealth is not the man of *our* choice, yet, 'his counsels we will follow, and his orders cheerfully obey,' so far as they are compatible with the spirit and meaning of the Federal Constitution. But our allegiance to the United States, and our attachment to its Constitution, we hold paramount to every other duty: *Therefore*, that we will support the Constitution and government of the United States against the invasion of a foreign enemy, the intrigues of a domestic faction, or the usurpations of individual States: and that we have the fullest confidence in the wisdom, firmness, and patriotism of the President and Congress, of whose doings we cordially approve."

bers of the best seamen were thrown out of their legitimate employ; but thus the most important requisite for a vigorous navy was at hand, and the exertions of the government were soon directed to this important and efficient branch of national defence. Much was effected by letters of marque; and successes on the ocean greatly contributed to counterbalance reverses on the land. Not less than five hundred English merchantmen were captured during the first seven months of the war, besides the victories achieved by the capture of public vessels.

The local legislation of this year was unimportant.¹ Seth Freeman, Esq., a patriot of the revolution, died at Sandwich, July 19, æ. 81.

¹ A deed of certain Mashpee lands was authorized to be made to Rev. Mr. Fish; and an act was passed to prevent the destruction of the lobster fisheries in Provincetown, and to regulate the same, the constant intrusion of smacks and other vessels from abroad rendering the measure one of necessity.

The "Valuation," established Jan. 30, 1812, (\$1000 "being apportioned as the ratio by which the towns shall in future be assessed,") was as follows:

	Polls, 802.	Aggregate, \$19,070 96.	Pay on \$1000, \$2 98.
Barnstable,			
Sandwich,	" 573.	" 18,955 29.	" 2 74.
Yarmouth,	" 488.	" 12,105 85.	" 1 87.
Eastham,	" 178.	" 3,071 66.	" 53.
Harwich,	" 399.	" 7,993 30.	" 1 30.
Wellfleet,	" 324.	" 4,182 17.	" 80.
Falmouth,	" 599.	" 15,800 33.	" 2 39.
Truro,	" 272.	" 4,617 04.	" 80.
Chatham,	" 349.	" 6,503 31.	" 1 08.
Provincetown,	" 220.	" 5,112 84.	" 82.
Dennis,	" 359.	" 5,988 19.	" 1 03.
Orleans,	" 303.	" 4,498 46.	" 81.
Brewster,	" 276.	" 6,921 74.	" 1 06.
	5142.	114,821 14.	18 21.

The polls in the commonwealth, 167,639. Aggregate prop. \$7,314,600 72.

In 1813, the Emperor of Russia having intimated a desire to mediate between the United States and Great Britain, with a view to the termination of hostilities, commissioners were appointed to meet others from the British Court, at St. Petersburg, to negotiate a treaty of peace and commerce. The arrangement was finally modified at the suggestion of the Prince Regent, and Gottenburg was fixed upon as the place of meeting; subsequently it was changed to Ghent in Flanders.

Local legislation was again unimportant, the only items of legislative enactment of the least interest being the annexation of certain estates from Truro to Provincetown, the appropriation of lands in Mashpee for a parsonage, and the regulation for the preservation thereof of certain fisheries in Chatham and Harwich.

Mr. Watson Freeman, an honored citizen and successful merchant, died at Sandwich, April 10,¹ and the Rev. Caleb Holmes, the minister of Dennis, died Nov. 2.

¹ The life of this gentleman was somewhat eventful; especially were his early years pregnant with incidents that illustrate the enterprise, the indomitable energy, and the patriotic daring of the young men of his day. We have, in looking over the returns of services rendered in former times, especially in the expedition to Canada in 1754, been painfully struck by the fact that so many of those enlisted on the Cape were youths of about sixteen years; but here is an instance of one scarcely fourteen, bereft of his father, and yet, prompted by no pecuniary inducement, partaking of the popular enthusiasm of the revolutionary period; entering the 4th Continental regiment under Col. Shepherd, in the company of Capt. Geo. Webb, Ap. 7, 1777, and, because he was the best writer in the company, acting as clerk, serving 3 yrs. to Ap. 7, 1780; present at the taking of Burgoyne in 1777; with Gen. Sullivan in the memorable events of L. Island in 1778, and there wounded in the arm; then, his term of service expired, yielding to the natural yearnings for kindred and home, retracing his steps as far as Boston, and there meeting with an uncle in command of a privateer and about to sail, shipping for the



Watson Freeman

Born September 28th 1762. — Died April 10th 1813.

In 1814, various legislation was had affecting the interests of the county: the time allowed the trustees of Sandwich Academy to locate the half-township of land granted them, was extended five years; the town of

cruise still intent on serving his country in bloody strife. The privateer was unfortunately taken by the *Montague* 74, and the insolence of British tyranny was exhibited in whipping and otherwise punishing American seamen to compel their service in his majesty's navy. On board the *Montague* in the action between the Count de Grasse and Lord Rodney, Mr. F. was again wounded in the leg, and then sent to the hospital at Portsmouth, Eng., Jan. 15, 1782. The skill there displayed may be inferred from the fact that, June 21, he was "discharged as incurable," but in his wanderings found an old woman who sold herbs, whose superior prescriptions healed his wound. The certificate he received on leaving the hospital has indorsed on the back of it, "Watson Freeman, 5 ft. 6½ in. high, æ. 19, born in America, light brown hair, fair complexion, and a cut in the forehead." That cut, we may here remark, was received from the sabre of one of the enemy's dragoons, a company of whom surprised his party when out "foraging" previous to the battle on Long Island; and it may serve to show the disposition indulged by our troops in the midst of their toils and privations, to avail themselves of pleasant recreation, that this "foraging party" were at the time of the surprise in a ball — dancing. The wound he subsequently received in the arm was so severe that he never in after life could raise the limb over his head. After the peace, Mr. F. was permitted to return home. He then soon engaged in mercantile life in Boston under the title of 'Freeman and Baty;' in 1800, Thomas Cushing being received into the firm it was 'F., B. and Cushing;' in 1807, Mr. Baty, brother-in-law of Mr. F., retiring, it was 'Freeman and Cushing' to 1812, when Mr. F. retired from business with a handsome competency. They were importers of English goods, and concerned also in navigation. — Mr. FREEMAN was born Dec. 28, 1762, in that part of Harwich now known as Brewster; and was in direct lineal descent from Mr. Edmund Freeman Sr. the proprietor of Sandwich, (see page 461.) through Maj. JOHN the younger son who m. Mercy dr. of Gov. Prince Feb. 13, 1649–50, and removed to Eastham where he d. 1719 æ. 92, having been distinguished in military life, prominent in public affairs, some time assistant, justice of the first Court of C. P. established after the Union, and a

Falmouth, on application, was granted military assistance in defence of the town; an act in addition was passed to preserve and regulate the taking of shell-fish in Wellfleet; an act to prevent the destruction and to

deacon of the Eastham church. He had issue: John Feb. 2, 1650 who d. inf.; John Dec. 1651; Thomas Sept. 1653; Patience who m. Samuel Paine Jan. 31, 1682; Hannah who m. John Mayo April 14, 1681; Edmund June 1657; Mercy who m. Samuel Knowles; Bennet who m. John Paine March 14, 1689; William, 1663; Prince 1665; and Nathaniel March 20, 1669. — Dea. THOMAS, the 3d s. of Maj. John, m. Rebecca dr. of Jona. Sparrow Esq. Dec. 31, 1673, and d. Feb. 9, 1715–16 æ. 62, his widow surviving till 1740, æ. 86. Issue: Mercy Oct. 30, 1674 who m. Paul Sears; Thomas Oct. 11, 1676; Jonathan Nov. 11, 1678; Edmund Oct. 11, 1680; Joseph Feb. 11, 1682–3; Joshua March 7, 1684–5; Hannah Sept. 28, 1687; Prince Jan. 3, 1689–90; Hatsuld March 27, 1691; and Rebecca April 26, 1694. — Col. EDMUND, the 3d s. of Dea. Thomas, m. Phebe dr. of Elkanah and Mercy Watson of Plym. 1703, and d. March 10, 1745–6 æ. 66. She d. 1747–8. Issue: Watson Sept. 24, 1704; Joshua May 1706; Hannah Feb. 28, 1708–9; and Edmund Nov. 28, 1710. — Capt. WATSON, eldest s. of Col. Edmund, m. Sarah Gray Jan. 30, 1723–4 and d. Feb. 17, 1757. Issue: Phebe June 1, 1725; Elkanah March 31, 1727; Sarah, March 29, 1729; Isaac Oct. 25, 1733; Hannah April 8, 1736; and Watson, bap. Feb. 25, 1739. — WATSON, the last named, m. Thankful Freeman March 18, 1762. Issue: Watson Dec. 28, 1762; Joshua, bap. July 12, 1764; and Edward, bap. July 31, 1768. The widow m. 2d Gideon Baty Sr. Sept. 23, 1777, and 3d Joseph Blake of Boston, and d. Jan. 11, 1809. — WATSON, the eldest son of the last family, and the subject of the preceding notice, m. 1st Sarah Hinckley 1793 who d. soon after, and 2d Experience dr. of Seth Freeman Esq. of Sandwich Nov. 10, 1794, who d. Dec. 17, 1806. He d. April 10, 1813, æ. 50. Issue: Watson, the present Marshal of U. S. for the Dist. Mass.; Mary Ann who d. Oct. 29, 1832; Charlotte Thankful who d. Feb. 1, 1837, on the island of Cuba; Benjamin who d. at Hillsboro', Ill. July 13, 1841; and Excy Sarah Hinckley who d. Feb. 25, 1833. — Our grateful acknowledgments are due to Hon. Watson Freeman for consenting to furnish the accompanying engraving, and generously sustaining the expense of it.

regulate the catching of alewives in Harwich, additional to the act of 1787, and also of 1813; an act establishing the Nobscusset Point Pier Company; an act establishing the place of keeping the records of the Probate Court; and an act incorporating 'The Calvinistic Congregational Society in Sandwich.'

The town of Brewster, as will be more fully noted hereafter, was menaced with conflagration. The British commodore, "Rd. Raggett Esq., of His Britannic Majesty's ship *Spencer*, commanding a British squadron in Cape Cod Bay," accepted a "contribution" of \$1250, and gave to the town an assurance that it should no more be molested. This led to an act, Oct. 13, authorizing \$4000 to be assessed on salt-works and buildings of every description in the town, as also on vessels owned there and frequenting its waters. Money was demanded by the enemy, of Orleans and other places, with a similar promise of guarantee in case of compliance; but the insulting demand was peremptorily declined.

In the month of August, the British nation was disgraced by an act of Vandalism without parallel in the annals of modern warfare: not content with taking the capitol at Washington, burning it, as also the President's house, the offices of the several departments, and many private dwellings, the British troops destroyed the public archives and libraries, together with all the works of art contained in the buildings. All that related to peace and civilization, as well as war, was wantonly and barbarously conflagrated.

The opposition to the war at no time abated; and, in this opposition, a large portion of the New England representatives in Congress were active, a majority of their constituents coinciding. The representative from

the County of Barnstable and a majority of his constituents, still formed an exception to the prevalent feeling. Apprehensions were indulged that a crisis was forming that might involve the country in ruin; and, Dec. 15, a convention assembled at Hartford, composed of discontents delegated by parties opposed to the General Government. The impression of the members of that convention, and of their supporters, was that the General Government were pursuing a system of measures inimical to the interests of New England; and they now asked that the revenue of the New England States might be applied to its defence. The business of this convention being transacted with closed doors, gave rise to impressions and rumors in regard to their designs, that tended greatly to the public disquiet. But, Dec. 24, the treaty of Ghent was signed, and, of course, further agitation ceased. That treaty was ratified by the Prince Regent of Great Britain, Dec. 27, and by the United States government, Feb. 17, the following year. The Hartford Convention did not cease to be very extensively condemned for a long time, as having intended measures that threatened a separation of the New England States from the Union. Whether the odium that attached to the proceeding, was merited, we may not pronounce. With the history of that convention, and the revelations that have since been made of its doings, the public are familiar, and each one is competent to form an opinion for himself.

Difficulties of a merely personal nature leading to complaints against public officers, or disaffections engendered by merely political considerations, it is not for us to chronicle; but when discontent becomes universal, and the most staid and venerable find cause month after month and year after year to rebuke 'the

insolence of office,' a state of things most unusual is presented. Suffice it to say, the office of public revenue in this county was never before, nor has ever since been, subject of such complaint.

Early in 1815, news was received of the memorable battle of New Orleans; Gen. Jackson, with a force of 6000 men, mostly undisciplined, opposed to 14,000 veteran and select troops under Sir Edward Packenham, having, on the 8th of January, gained a complete and most decisive victory. The loss of the English, under the well-directed fire of American marksmen, was 2600, including the officer in command; that of the Americans was only 6; and whilst the news of this battle was just ringing through the land, a special messenger arrived from Europe with the tidings of PEACE.

No people, certainly, had greater reason to rejoice in the glad announcement that hostilities had ceased, than the inhabitants of Cape Cod.

The difficulties between the two countries being thus settled, a treaty also to regulate commerce between the United States and Great Britain, was executed at London, July 3.

The country now rapidly returned to its former prosperity; commerce revived at once, and every interest gave signs of renewed vigor.¹

¹ The incorporation of the 'Wellfleet Manufacturing Company,' capital \$60,000, — Josiah Whitman and others, for the purpose of manufacturing cotton and woollen cloth and yarn — came rather late for the previous exigencies of the times; but not too late to save the company from the ruin which, on the return of peace, swept over the large investments that had been made in other places. An act, to regulate the fisheries in the town of Yarmouth, was one of those instances of legislation often called for on the Cape, and always opportune.

In March, war was declared by the United States against the Algerines, on account of depredations on American commerce. The Dey of Algiers was compelled to a treaty relinquishing all future claims for tribute. Arrangements were also made with the regencies of Tunis and Tripoli, that gave security to commerce from all depredations of Barbary cruisers.

An act passed in Congress, and received the signature of the President, April 10, incorporating a national bank, under the title of the BANK OF THE UNITED STATES, with a capital of \$35,000,000. Much diversity of opinion existed, and was exhibited in the preliminary discussion of the question, as to the constitutional power of Congress to establish such an institution. It was thought, however, by the majority, that as the charter of the old Bank of North America, instituted during Washington's administration, expired, the commercial interests of the country required a substitute of this kind. The bank established with a charter for twenty years, was soon in operation.

A tremendous gale, or hurricane, swept over that part of the county contiguous to Buzzard's Bay, Sept. 23. It will be long memorable for its devastating effects.¹

¹ The wind began to rise the latter part of the night preceding. At sunrise the gale was violent, and increased until 10 o'clock A. M., continuing extremely high until 2 o'clock P. M., but probably most severe at 11 o'clock A. M. It came in violent gusts — not in a uniform current; sky cloudy, but no rain; east, first, — then changing to west and south; moderating at night. Trees were uprooted in great numbers, or broken, or twisted as if mere withes; buildings prostrated; salt-works destroyed; vessels scattered from their moorings, and driven ashore; and vegetation was in great measure destroyed. Lower down on the Cape, the gale was comparatively moderate; at Provincetown it was 'only a hard blow.' Its violence reached north and west from the Cape, and was seriously felt in the

In 1816, the political feuds of the country having begun gradually to subside, and the animosities of the past giving way to the spirit of enterprise, public improvements began to be pushed forward in the States

adjoining counties in that direction. The tide rose eight feet higher than usual in the highest course of tides; and in the bay was several feet higher still. Had the tide risen but fifteen inches higher, it would have passed completely over the isthmus of the Cape. It may here be remarked that the tide in Buzzard's Bay is always three hours earlier than in Barnstable Bay; it was high tide that day in the former bay, at 11.40. Both wind and tide operated together. Houses that were not shattered by the wind, were abandoned on account of the tide; and from the latter cause the greatest amount of injury was inflicted on the salt-works — nearly all, on Buzzard's Bay, and they were then numerous, were swept away. Great loss was sustained on the island Mashena: the ruins of works there, were subsequently found in the woods of Wareham; and, in one instance, a large lot of salt-works floated several miles without being broken, until settling on a ledge of rocks. One salt-house, after sailing some miles, settled across a road, there standing on corner-stones so well adapted that its shape was maintained. It was afterwards taken by its owners, from its position nine feet above high-water mark, and conveyed back to its original place — first being launched. The shores were literally swept with the besom of destruction. Coasters were not only driven high ashore, but some were afterwards found in forests. One was lodged among large trees sustaining it in an upright position; and was re-launched with little damage. Another was lifted over a bluff, and laid in front of a dwelling-house, blocking the front door. Some damage was done at Falmouth; but in the Vineyard Sound the waters were not heaped up as in Buzzard's Bay. In Hyannis, a brig was driven ashore. On Buzzard's Bay, grass and all vegetation were killed; trees, including oaks and pines, perished; cedar-swamps were filled with sea-water destroying both shrubs and trees; Indian corn was completely torn up or twisted to shreds; potatoes rotted; the rye was killed; fences were promiscuously scattered abroad; wells and springs were ruined. Fresh water was long a rarity; for besides the overflow of wells, and springs, and watering places for cattle, even wells not reached directly by the flood, were made salt. The spray from the sea was like a driving snow storm. Many springs did not

generally, and private adventures met with rich rewards. To this last remark, however, there is to be noted one important exception. Extensive manufacturing establishments had, during the period of non-intercourse with Great Britain and other countries, sprung into existence. The destitution of those articles that had been almost wholly supplied by English manufactories, seemed, at the time, to promise ample remuneration for these investments; and their first success had been so encouraging, that an immense capital was soon employed in American manufacture, the country beginning to be supplied from its own establishments with almost every species of merchandise. The return of peace inundated the country with British goods; and the consequence was that our own manufacturing establishments suffered severe embarrassment, many of them being entirely broken down, and their enterprising owners were in many instances involved in pecuniary ruin.

JOHN BROOKS was, this year, called to preside over the commonwealth to succeed Gov. Strong; and for seven successive years was reëlected.¹

recover for many years. Some fields were so washed, or covered with sand, that they looked like a beach. It is remarkable too, that where the English grasses were killed, wild grasses appeared the next year; and in some places where the natural grasses were killed, clover appeared the next year; and even where only mosses had grown, grasses succeeded. The land actually was made better for tillage.

¹ Gov. CALEB STRONG, whose last term of office was during the difficult period of the war of 1812-15, was, because of his political course, viewed with great disapprobation by the friends of the national administration; and was as warmly commended by his supporters. But as a member of the legislature from 1776 to 1780, and subsequently as a councillor, his ability was confessed by all. In forming the constitution of Massachusetts in 1779, and that of the United

The Congregational churches in the county were authorized by special act to sell their several and collective shares in the Hersey estate; the management of said estate being attended with great inconvenience and expense, and as hitherto managed, the property being unproductive.¹ Credit is due to Dr. Hersey for

States in 1787, he took an active part. He was also senator in Congress from 1789 to 1797. With a reputation to the very close of life, of fervent piety, he died Nov. 7, 1819, æ. 74.

¹ Dr. Hersey's will directed that his estate, after the payment of a legacy of £500 to Harvard College, should vest in the thirteen Congregational churches, at that time, 1786, existing in the county; the proportion to each was specified with minuteness; the deacons of the several churches were constituted trustees and were to have the whole care and management of the estate; and the manner of executing their trust was specified with great particularity. The fences upon the farm were to be kept entire — certain lots of land to be ploughed in rotation, but not oftener than once in seven years; a limited quantity of wood cut, &c. The deacons were to pay over the net income to the pastors who were to invest in books and distribute. The books were specified: one third part of the net profits of the estate was to be applied in purchasing Dr. Doddridge's *Rise and Progress of Religion in the Soul*; one third part, Dr. Evans' *Sermons on the Christian Temper*; twelve sixty-third parts, Grove's *Discourse on the Lord's Supper*; eighteen sixty-third parts, Dr. Doddridge's *Discourses on Regeneration* and his two *Sermons on Salvation by Faith*; nine sixty-third parts, Doddridge's *Discourses to Young People*; twelve sixty-third parts, *Discourses, of the same, on the Education of Children*; twelve sixty-third parts, *Discourses, of the same, on the Grace of Christ and the Evidences of Christianity*. After the lapse of 100 years, ministers of the thirteen parishes (viz.: East Precinct, Barnstable, one eighth part; West Precinct, Barnstable, five sixty-fifth; Sandwich, one fourteenth; Falmouth, one fourteenth; West Precinct, Yarmouth, three twenty-eighths; East Precinct, Yarmouth, one fourteenth; North Precinct, Harwich, one fourteenth; South Precinct, Harwich, three fifty-sixths; Chatham, one fourteenth; South Church in Eastham, five fifty-sixths; North Precinct, Eastham, three fifty-sixths; Wellfleet, three fifty-sixths; Truro, one fourteenth;) were to be allowed to "select" other books "of like character — except that

his good design; but the execution being impracticable, his dreams of the future must needs be, so far as relates to the provisions of a most remarkable testamentary document, pronounced by legislative enactment, illusory. It has been the fate of many: it need not, therefore, be imputed to the worthy doctor's idiosyncrasy, that his carefully arranged programme was set aside. That he occupied a conspicuous place among skilful practitioners of the healing art, there can be no question;¹ and that his bequest furnishes the most prominent, and until recently almost solitary, instance of posthumous provisions among all the wills of prosperous denizens of the Cape departed this life, for public benefit, is a fact that is distinguishing.² It is, indeed, a circumstance creditable to the medical profession that, whilst this particular bequest emanated from one of the fraternity, so many of its distinguished members have been conspicuous in walks of honor and usefulness aside from their professional practice. Some were not only active in political life at eventful periods,

every fourth year the books purchased must forever be the books afore specified." The whole will was peculiar. It was finally discovered that the annual meeting of so great a number of trustees (for every church had three deacons) coming from many different towns, together with other contingent expenses, exhausted the income. The deacons doubtless had a social time of it once a year; but the ministers had little to invest in books for distribution.

¹ See note, page 554.

² It has been subject of remark and surprise among prominent men in other parts of the State, that so little has been done by the favored sons of Cape Cod, in the way of public endowments in their native county. Their wealth has flowed into other channels. "There is," says one, "and ever will be an interest in places which have been consecrated by the presence and labors of our relatives and friends during their lives; and, to a generous mind, especial interest attaches to the spot where their ashes repose."

but filled offices of high trust.¹ The positions they held, the influence they exerted in affairs of both church and state,² and not least their zeal in the advancement of education and the diffusion of knowledge, speak well for the brotherhood.³

¹ Gen. Freeman, Hon. John Davis, Dr. Thomas Smith, Dr. Savage, &c. &c. &c.

² Numbers of the clergy were practising physicians regularly educated as such.

³ The portrait of a medical gentleman, honored in his profession and not less as a friend of science generally, is seen on the opposite page. Although his career commenced about the time of Dr. Hersey's demise, we present the likeness in this connection as a worthy embellishment of our present work — more especially as so few portraits are extant of those who adorning the medical profession devoted also the full measure of their influence to give character to the age in which they lived.

Dr. JONATHAN LEONARD was born in Bridgewater, Feb. 17, 1763; grad. H. C. 1786; and settled in Sandwich in the practice of medicine about 1788–9. By his marriage with Temperance, daughter of Mr. Joshua Hall of the latter place May 10, 1796, the issue was Francis Dana now of Yellow Springs, O.; Theodore of Greenfield, Mass.; Jonathan of Sandwich; George Kingman who d. æ. about 40, leaving issue; and Charles Cushing. Dr. L. was of the 6th gen. from Solomon who went early from Duxbury as one of the original proprietors of Bridgewater: — viz., was son of Jonathan of Bridgewater b. 1731, who m. Martha Washburn 1758 who d. 1804, æ. 73; who was son of Joseph who m. Mary Packard; who was son of Joseph who m. Hannah dr. of Rd. Jennings; who was son of John who d. 1699; who was son of Solomon the proprietor who d. 1686. Dr. L. was eminent in his profession. Early a member of the Mass. Med. Soc., his alma mater conferred on him the honorary M. D. in 1824. About 60 years he was diligently and successfully engaged in the duties of his profession in the town of his adoption, his name intimately associated with the healing art and his influence decided in elevating the standard of professional character — his practice ever marked with conscientious prudence — sympathizingly patient and forbearing in his treatment of chronic complaints, and skilfully prompt in epidemic or occasional diseases — characteristics always of a good

The Hon. James Freeman, high sheriff of the county, died this year, Jan. 10, æ. 51.

For the repairs of the meeting-house in Mashpee, \$500 was granted by the legislature ; — incorporation was granted to ‘the proprietors of Bass River Bridge,’ with authority to erect a bridge over said river at the Narrows in the towns of Yarmouth and Dennis.¹ Dennis was divided into North and South Precincts, the public ministerial property to be divided in due proportion.² Jurisdiction was ceded to the United States of sites for lights on Race Point, Nashaun, and Point Gammon.

physician. Unostentatious and humble, simple in his habits, gentlemanly in all his intercourse, a dignified sense of honor pervading his whole life, the traits of kindness and liberality emphatically the law of his heart, practically a believer in the precepts of Jesus, a good citizen, a safe and judicious friend, he had the confidence and respect of his associates and was held in esteem as far as his name was known. An active promoter of the cause of education ; ever zealous in the progress of science ; even a fondness for the culture of fruits and flowers indicating that Nature’s works were in his esteem among the truest pleasures of life ; —

“ Observant, studious, thoughtful, and refreshed
By knowledge gathered up from day to day ; ”

he retained to the last a cheerful mind, and died Jan. 25, 1849, æ. 86, his memory cherished by many — his unsullied purity of example the grateful inheritance of his posterity. His third son succeeds the revered parent, in the profession, in Sandwich ; and to the courtesy of the three eldest we are indebted for the faithful engraving of the excellent likeness before us.

¹ Other minor acts were passed : regulating the fisheries of herring, alewives, perch, and eels, in Yarmouth and Dennis ; incorporating the Proprietors of Bass River Bridge, &c. ; and a resolve for ascertaining the validity of rights, privileges, &c. in the plantation of Mashpee, claimed by Nathan Bourne in right of his ancestors.

² These parishes were to be “divided by the following described lines : Beginning at the division line between the towns of Yarmouth



Jonathan Leonard

CHAPTER XXVI.

Commercial Reverses. — The Mails and Post Offices. — Florida. — Separation of Maine. — Missouri Compromise. — Falmouth Bank. — Pirates. — Political Exasperations. — The Tariff. — Cape Cod Harbor. — Glass Manufacture. — Disasters at Sea. — Barnstable Bank. — Public Offices destroyed. — Political Changes. — Treaties.

IN 1817, Mr. Madison's term of office having expired, and JAMES MONROE having been elected to the Presidency, he took the oath prescribed by the Constitution, March 4.

Foreign merchandise continued to inundate the country; and the specie borrowed in Europe at an excessive premium, as well as that previously in the country, was rapidly leaving it to pay the balance against us. Commerce was, therefore, less flourishing than had been anticipated. Much of the legitimate trade was in the hands of foreigners; many ships were lying at the wharves, unemployed, and the multiplication of vessels nearly ceased.

We find the towns this year, strange as to us it now appears, petitioning the Postmaster General or Congress, for a mail twice a week to Brewster, and, if practicable, to Provincetown.¹ We can scarcely realize that

and Dennis, in the road to Chatham, near the Welden's; thence easterly in sd. road opposite the house of Seth Bangs; thence easterly on such a course as to strike the easterly line of the said town of Dennis at a point therein which is the N. W. corner of the town of Harwich, and the S. W. corner of the town of Brewster, near the White Pond so called."

¹ See Appendix B.

so short a time back, such a measure was necessary; when we consider the present advantage of daily, and in many of the towns, twice daily mails. We also find that a company was incorporated by the name of "The Eastham and Orleans Canal Proprietors," for opening a canal from the head of Nauset Cove to Boat Meadow Creek.

We pass over the year 1818, as one of not much public interest comparatively. Nothing of special local interest occurred save the incorporation of "The South Congregational Society in Barnstable."

In 1819, a treaty was negotiated at Washington, bearing date Feb. 23, between John Q. Adams, Secretary of State, and Don Onís, the Spanish Minister, by which Spain ceded to the United States the Floridas and adjacent islands.—One of the prominent men which the Cape contributed in great numbers to Maine in its early settlement, Maj. George Lewis, died this year at an advanced age.¹—Alpheus Childs and others were incorporated as the Falmouth Wharf Company.

¹ Maj. LEWIS emigrated from Barnstable after the revolutionary war, 1784, to Gorham. Rev. Dr. Prentiss, editor of the memoirs of his brother the distinguished and talented S. S. Prentiss of Mississippi, whose maternal grandfather was Maj. Lewis, says of him: "He was a man of great weight of character, excellent understanding, and was noted for the earnestness of his religious and political convictions." He was an officer of the church; and Dr. P. says, "One might have gone far before finding a truer specimen of the Puritan deacon or of the old-fashioned Washingtonian federalist. Before emigrating to Maine, he had been out in the revolutionary war, served as an officer in the battle of Bunker Hill, and was deeply imbued with the spirit of the times. Among Maj. L.'s intimate friends, were his cousin Hon. Geo. Thatcher of Biddeford, Gen. Peleg Wadsworth,

In 1820, the Constitution of Massachusetts was amended. MAINE was also made a distinct and independent State. Its separation had for some years been the subject of discussion; but hitherto it had remained a Province. A large proportion of its inhabitants originated from Cape Cod,¹ and from an early period nearly

Judge Longfellow, and Hon. Prentiss Mellen, Chief Justice of Me.; when visited by these friends, the state of the country was an invariable subject of discourse, and they would often sit up till midnight, absorbed in political discussions. Maj. L., like many others of the same political school, 'hated Mr. Jefferson with perfect hatred.'—He m. 1st Mary Davis of Be. Oct. 12, 1760, who d. 1782, and 2d Desire Parker Jan. 27, 1783, who d. 1815. Issue: Mehitable, July 21, 1762, who m. Crocker; Lothrop, Feb. 13, 1764; Sarah, Jan. 13, 1766, who m. Peabody; Annah, March 21, 1768, who m. Darling; James, Aug. 21, 1770; Ansel, Feb. 2, 1773; George, March 28, 1775; Daniel, July 22, 1777; Mary, Sept. 29, 1779; and Robert and Abigail, gem., Nov. 12, 1782; the latter m. Prentiss. The whole of this numerous family were b. in Barnstable, and most of them lived to a great age. The eldest son, Hon. LOTHROP LEWIS, b. 1764, and d. Oct. 9, 1822, removed with his father to Gorham, was "a man of eminent worth, mildness and dignity of character—a model of public virtue." The second son, Rev. JAMES LEWIS, b. in Be. 1770, and d. Aug. 19, 1855, in Me., was a venerated elder and local preacher of the Meth. Ep. church; of whom his biographer says, "There are few men in Me. who have been in the ministry so long or whose Christian labors have been fraught with such abundant and lasting good." It has been estimated that during the 55 yrs. of his ministry, he officiated at 1500 funerals—sometimes travelling 40 miles for the purpose. His labors were chiefly divided among the towns within a circuit of 90 miles from his farm; and yet he never received a dollar for his ministerial services. Another son, GEORGE, d. Sept. 19, 1857; and yet another, Rev. DANIEL, Sept. 20, 1849.

¹ It were a task indeed to undertake to trace all the removals from the Cape to the Province of Maine. Besides the settlement of Gorham almost exclusively by Cape people, the early history of nearly all the old towns in Maine shows that the Cape was largely represented in their beginning and progress. Phinney, Lombard, Gorham, Lewis, Freeman, Bodfish, Cobb, Smith, Snow, Ellis, Treat, Thacher,

all the *Patres conscripti* of the Cape towns have been represented in their descendants scattered thickly over the Pine State. The population of Maine at this time numbered 298,335. The number of the inhabitants of the United States, as appeared by the census this year, was found to be 9,718,135, of whom 1,543,688 were slaves. The census of Massachusetts showed 523,287; that of Barnstable Co., 24,431.

The great question which was now destined to agitate the country and apparently to threaten the stability of the Union, came up before Congress, from Missouri. The celebrated "compromise" was passed; the end of altercation between the two great sections of our country, however, we regret being obliged to say, was not yet to be.

A vacancy was occasioned in the senatorial representation from this county, by the decease of Hon. Solomon Freeman of Brewster.¹

Doane, Paine, Davis, Fuller, Hamblin, Foster, Eldridge, Dillingham, Weeks, Wing, Hoxie, Tupper, Young, Burgess, Sears, Toby, Hatch, Howes, Hall, Jenkins, Jennings, Jones, Johnson, Knowles, Nickerson, Percival, Bowman, Thornton, Hallett, Lovell, Hinckley, and a host of others, are names that having been transferred to the Kennebec, Penobscot, or elsewhere, are largely represented in "the eastern country." See Appendix C.

¹ Hon. SOLOMON FREEMAN d. Nov. 9, 1820, greatly esteemed and much lamented. He had been a leading man and had filled many responsible stations. He was son of Hon. Solomon, b. 1732-3, who also was for many years senator, judge of the Ct. Com. Pleas, delegate for the adoption of the Federal Constitution, &c., and a lineal descendant from Mr. Edmund Freeman Sr., the earliest of the assistants and magistrates from the Cape, who d. 1682. We have referred (p. 568) to the place of interment of the aged progenitor of so many bearing the name now widely scattered over every part of the Union; and our allusion to "the saddle and pillion" may justly demand a word of explanation. When the original proprietor of Sandwich was

In 1821, the Independence of the South American Republics was recognized by the United States. — The Falmouth Bank was incorporated, Feb. 14; capital \$100,000; also the Salt Manufacturing Co. of Billingsgate Island, capital \$50,000.

called, in old age, to bury his wife, it is well understood that monuments wrought and lettered were not to be easily obtained. The venerable man calling his sons to his aid, suggested that some memorial should mark the spot where the mortal remains of their mother had been committed to the earth; and, directing them to follow with a team, led the way to a large stone, or rock, which in shape resembled a *pillion*. This being conveyed from a distant field, was placed over the recent grave. Admonished by bereavement and age that his own time might be short, he caused yet another stone to be brought from an adjoining field, the form of which stone he fancied to resemble a *saddle*. These emblems of the conveniences on which the aged couple had long rode to the house of God in company, he thought proper should rest on their respective graves. Designating the precise spot in which he would be buried, and placing the “saddle” beside it, the three together proceeded to enclose the area by a massive circular wall, containing within the enclosure two venerable oaks. “Hither, after death has taken your father,” said he, “bring me and lay my remains by the side of your mother; then place upon my grave the intended stone, and here let us remain undisturbed until the resurrection day.” Within the recollection of persons yet living, the remains of those ancient trees were standing and the last vestiges of the wall were removed — the title having passed into the hands of those of another name; but neither the two graves nor the rude monuments placed over them have ever been disturbed. The land, again, some half-century since, came into possession of the blood; and it has been the design of successive owners that the spot be considered as sacred. And, inasmuch as a considerable area around the two graves was clearly the ancient burial-place of others, the present owner, Watson Freeman Esq., U. S. Marshal for the District of Mass., has, with filial devotion and commendable liberality, caused a survey of the land that he may invest the title in perpetual trust — to be used for no future burials, but — to be held forever protected from secular use as the resting-place of the mortal remains of venerated progenitors. It is also in contemplation, of himself and others, if circum-

In 1822, Gen. Joseph Dimmick, of revolutionary fame, and sometime high sheriff, died Sept. 21, at advanced age.¹ — Great annoyance to commerce was suf-

stances favor, to erect there a suitable monument with inscription; but so placed as not to infringe on "the saddle and pillion." The location is about $1\frac{1}{4}$ miles west of the Town Hall in Sandwich. The two sons of Edmund Sr. — Edmund Jr. b. 1622 and John b. 1629, (see pages 461 and 601) — have descendants numerous on the Cape, and far more numerous elsewhere. Edmund Jr. remained in Sandwich; John removed to Eastham. Both m. drs. of Gov. Prince; and both sons were much in public life, holding prominent positions in their respective towns, or as deputies to the General Court, &c. John was also a military man, an assistant in the government of the colony, and the first magistrate commissioned in the county after the union of the Plymouth Colony with Mass. — Genealogy to be resumed hereafter. It is proper to say in this place that in the order of our genealogical notices we are governed by no rule or suggestion of precedence. Genealogical notes are made when and where most convenient. Numerous important ones are delayed simply to gain a more accurate knowledge of facts and data. Thus much to guard against a supposition that invidious preferences are intended.

¹ Gen. JOSEPH DIMMICK, a lineal descendant of elder Thomas of Barnstable, d. Sept. 21, 1822, æ. 88. He m. Mary Meiggs, April 17, 1759. Issue: Braddock, Feb. 26, 1761; Prince, Feb. 11, 1763; Martha, Nov. 16, 1764, who m. Joseph Crocker, Nov. 23, 1785, and d. Dec. 20, 1836; Temperance, Aug. 9, 1766, who m. 1st Palmer, 2d Davis, and d. 1847; Mary, March 16, 1768, who m. Timo. Crocker, Oct. 1, 1792, and d. 1834; Joseph, April 27, 1770; Anselm, March 16, 1772; William, March 16, 1774 and d. early; Tabitha, June 26, 1776, who m. 1st Elisha Sherman of Roch. Jan. 20, 1799, and 2d Elijah Bourne, Jan. 16, 1814; and John, Dec. 16, 1779. Early enlisted in his country's cause, he served as lt. of the militia under Gen. Abercrombie at Ticonderoga; and at the opening of the revolution took a decided stand on the side of liberty — always firm, efficient, brave. The utmost confidence was reposed in his fidelity, good judgment, and indomitable energy. He shrunk from no danger in his country's service; his presence was always inspiring to his associates, and his name was respected though feared by the enemy. He was early a professor of religion, and maintained a consistent Christian life.

fered by the West Indian seas being infested by pirates; and measures were taken by government to abate the evil. The United States schooner *Alligator* captured a piratical schooner, and recaptured sundry vessels belonging to Americans, that had fallen into piratical hands. — Acts were passed ceding to the United States, jurisdiction of part of Billingsgate Island for the erection of a lighthouse; to regulate the firing of coal pits, &c.¹

The year 1823 was one of much political excitement. WILLIAM EUSTIS was elected to the chief magistracy of the State,² and the change of administration

¹ It would occupy too much space to detail all the minor acts of legislation designed to meet the exigencies of the Cape; although we are aware that these indicate in some degree the progress being made. The last-named act, with subsequent similar legislation, had become highly necessary to prevent damage to the public as well as the proprietors of extensive wood-lands in the several adjoining towns. The negligence of some engaged in making charcoal or clearing up brushwood, and the disasters occasioned by the injudicious selection of times for burning, became a source of frequent alarm. In addition to the above acts, were those for the preservation of the lobster fishery in Provincetown; and for the incorporation of Bass River Lower Bridge Co. between Dennis and Yarmouth, authorized to build 'with draw' and receive toll.

² Gov. BROOKS who now retired, whose early years were spent on his father's farm with no other advantages of education than those of a common school, had early become conspicuous both as an eminent physician and a military man. His services in the high offices he held in the army during the revolutionary period, are recorded to his honor. He filled with credit, subsequent to his retirement from the army, several important offices previous to his being called to the gubernatorial chair. No one questioned his integrity and devoted patriotism; and he was as much beloved in private life as he was distinguished in his official career by judicious and unwearied labors for the public good. He died March 1, 1825, æ. 72 — "a humble and devoted Christian."

called forth a renewal of former exasperations.¹ Articles were this year entered into by the United States and Great Britain, authorizing the commissioned officers of each nation to capture and detain ships of the

¹ The temper of the public mind may be inferred from the answer of the House of Representatives, in June, to Gov. Eustis' inaugural address: "The change of political sentiment, evinced in the late elections, forms, indeed, a new era in the history of our Commonwealth. It is the triumph of reason over passion, of patriotism over party spirit. Massachusetts has returned to her first love and is no longer a stranger in the Union. And it is with peculiar pleasure we recognize in her chief magistrate, one who contended first for the freedom and independence of these States, and, afterwards, for the continuance of their sovereignty and existence as a nation; and whose whole life has been devoted to his country. We rejoice that, though, during the last war, such measures were adopted in this State, as occasioned double sacrifice of treasure and of life; covered the friends of the nation with humiliation and mourning, and fixed a stain on the page of our history; a redeeming spirit has at length arisen to take away our reproach, and restore to us our good name, our rank among our sister States, and our just influence in the Union. And while we rejoice that the rising generations, who could have had no agency in these measures, appear to have taken so earnest and so honorable an interest to redeem our character; we rejoice, also, that our redemption has come, while most of those whose heads were bowed down with affliction are yet in existence and can once more look up and behold the cheering light which shines on their native State.

"Though we would not renew contentions, or irritate wantonly, we believe that there are cases, when it is necessary, we should 'wound to heal.' And we consider it among the first duties of the friends of our national government, on this return of power, to disavow the unwarrantable course pursued by this State during the late war; and to hold up the measures of that period as beacons, that the present and succeeding generations may shun that career which must inevitably terminate in the destruction of the individual or the party who pursues it; and may learn the important lesson that, in all times, the path of duty is the path of safety; and that it is never dangerous to rally around the standard of our country. . . .

"The House of Representatives appreciate the wisdom and moder-

other when found engaged in the slave trade.—A site for a lighthouse on Monomoy Point, Chatham, was ceded to the United States.—Hon. Ezra Sampson, a native of Barnstable, well known by several valuable publications, died Dec. 12, æ. 74, at Hudson, N. Y.

In 1824, Aug. 13, Gen. LA FAYETTE visited the United States, and became a nation's guest. Before his return to France, Congress voted him \$200,000 and a township of land as a testimony of gratitude for revolutionary services. During his visit he had the mournful satisfaction of taking by the hand a few, and comparatively few only, of the gray-headed veterans of the revolution. Though nearly half a century had passed away, his faithful memory had retained both the countenances and the names of those who had been his companions in arms. His progress through the States, was, as right it should be, one continued triumph,—the most illustrious of any on the page of history; for his, was, every where, the tribute of a free, enlightened, grateful people.

The tariff-question now agitated the country. A bill for a new tariff was passed. But the great and absorbing topic was the presidential election. There were, in one sense, no parties, *strictly* so called, in existence during the canvass. The existing state of things was quite an anomaly, which we know not how better to express than to say, there were several factions, consisting of partisans of most distinguished, able, and

ation of your excellency's predecessor who is followed to his retirement with the gratitude of this whole people. They will never forget his personal sacrifices and services in the war of the revolution; and the sacrifice of a son who bore up his name in 'the late war that terminated with so much glory to our nation.'"

patriotic men, Adams, Jackson, Clay, Crawford, and Calhoun.¹

The Hon. GEORGE THACHER, judge of the Supreme Judicial Court of Massachusetts, died April 6, æ. 70.²

¹ The incorporation of the proprietors and owners of Eastern Harbor meadows and beaches in Truro, is the only local event we may record.

² See notice of Judge Thacher's ancestry, pages 142-5. We here resume the family genealogy: Col. and Hon. JOHN THACHER, s. of Mr. Anthony, who d. in Yarmouth May 8, 1713, æ. 75, m. 1st Rebecca Winslow of Marshfield Nov. 6, 1664, and 2d Lydia Gorham, dr. of John Esq. of Be. Jan. 1, 1684, who d. Aug. 2, 1744, æ. 84. Issue: Peter May 26, 1665, at Y.; Josiah April 26, 1667; Rebecca June 1, 1669, who m. 1st James Sturgis, 2d Ebenezer Lewis; Bethia July 10, 1671, who m. James Payne; John Jan. 28, 1674; Elizabeth June 19, 1677, who m. Moses Hatch of F.; Hannah Aug. 19, 1679, who d. 1689; Mary Aug. 3, 1682, who d. early; Lydia Feb. 11, 1684, who m. Joseph Freeman of H.; Mary Feb. 5, 1686, who m. Shubael Gorham of Be.; Desire Dec. 24, 1688, who m. Josiah Crocker of Be.; Hannah Oct. 9, 1690, who m. Nathaniel Otis and settled in Colchester, Ct.; Mercy July 22, 1692, who d. early; Judah Aug. 20, 1693; Mercy Dec. 8, 1695, who d. early; Anna May 7, 1697, who m. John Lothrop of F. and went to Tolland, Ct.; Joseph July 11, 1699; Benjamin June 25, 1701; Mercy Feb. 7, 1703, who m. 1st Joshua Sears and went to Norwalk, Ct., 1724, and 2d James Harris of Saybrook; and Thomas April 2, 1705. Col. T. was early lt., sel. man. 20 years, rep. 1668-83 excepting one or two years, of the council of war 1681 several years, assistant 5 years, of the council soon after the Union most of the time to 1812 about 20 years. Greatly honored and esteemed, he was buried under arms, and his grave-stone was the first with an inscription put up in Yarmouth, being brought from England. — Hon. PETER THACHER, eldest s. of Col. John, who d. æ. 71, m. Thankful Sturgis, and had Thankful Jan. 13, 1693-4, who m. John Hallett of Y.; Peter Dec. 11, 1695, who d. early; Sarah Feb. 2, 1708-9, who m. Geo. Lewis of Be.; Temperance Sept. 16, 1711; Peter Aug. 24, 1712; and Hannah Aug. 10, 1715. Mr. T. was just. C. C. P. 1720, chf. just. 1728, and several years of the council. He was a humble Christian, and much esteemed. — Lt. PETER THACHER, s. of Hon. Peter, m. Anner dr. of Geo. Lewis of Be., and

In 1825 the quiet and prosperous administration of Mr. Monroe being about to expire, and the electors having failed to make choice of a successor, the duty devolved on the House of Representatives by whom JOHN QUINCY ADAMS was chosen, Feb. 9; and he was inaugurated March 4.

Gov. Eustis' death occurring Feb. 6,¹ Lieut. Gov. MARCUS MORTON presided to the close of the political year, when LEVI LINCOLN, being elected, assumed the

had Josiah July 22, 1735; Peter Nov. 25, 1737; Temperance Feb. 25, 1739; Lewis March 15, 1741, who d. inf.; Lewis, who d. early; Thankful Feb. 28, 1744, who d. æ. about 18; Anna who died early; Sarah June 5, 1749, who m. Isaac Gorham; Lewis Nov. 23, 1751, who d. 1778; George April 12, 1754; and Thomas Jan. 20, 1757. — Hon. GEORGE THACHER, s. of Peter 2d, who grad. H. C. 1776, and d. April 6, 1824, æ. 70, m. Sarah, dr. of Samuel P. Savage Esq. of Weston, July 20, 1784, having located at Biddeford, Me. Issue: Samuel P. April 1785, who practised law at Saco, m. Jane C. D. Savage, had 2 drs. who with himself d. at Mobile, Ala., 1842; Sally 1787, who m. Joseph Adams Esq. of E. Sudbury; George Sept. 1790, who grad. H. C. 1812, m. Lucy Bigelow, practised law in Saco, was collector at Belfast, and d. at Westford 1857, leaving 3 drs.; Lucy S. 1792, who m. Abner Sawyer Jr. of Saco; Henry S. Jan. 25, 1794, who m. Eliz. Haven Wardrobe of Portsmouth Sept. 26, 1822, and was cashier of the Saco Bank, then of the York Bank of S., 25 years, and has sons and drs.; Lewis Jan. 16, 1796, who m. Mary Goodrich of N. Y., and d. 1830; Anna L. 1797, who m. Charles T. Savage of Newburyport Sept. 20, 1821; Josiah 1800, who m. Jane Scammon of Saco, and d. 1836; Nancy B.; and Eliza J., who m. John T. Balch of N. Y. A biographical sketch of Judge T. will be found in Chap. xxix. — For the engraved portrait of Hon. Mr. Thacher, herewith presented, we are indebted to the courtesy of his son, Mr. Henry S. Thacher, and the liberality of other relatives.

¹ Gov. WILLIAM EUSTIS was by profession a physician, and was a surgeon in the army of the revolutionary war. He was elected to Congress in 1800, and appointed secretary of war in 1809. He was ambassador to Holland in 1815; and again, in 1821 and for four successive sessions, was in Congress. He died Feb. 6, 1825, æ. 71.

chair of state, continuing long in office. The provisions of the act of 1786 in regard to the preservation of the Cape harbor were found to have been "sadly neglected; the trees had been cut down for fuel and other purposes, and the lands of the Commonwealth treated as if free to the inroads of any one; the strip and waste depriving the sands of their natural protector, they were at the mercy of the winds; and, as was anticipated, the sands had been and continued to be forced over the meadows to their great detriment, and also into the north-east part of the harbor. These injurious consequences were more immediately appreciated by the inhabitants of Truro, and the selectmen of that town petitioned the General Court to take measures to protect East and Cape Cod harbors."¹ — The

¹ So says the report of the legislative committee of 1854; and the result of the application at this present time, was the appointment of commissioners to examine the harbor and ascertain and estimate the danger to be apprehended of damage to the same; the necessity of measures to obviate the evil; the measures that may be necessary for the purpose; and the probable expense. Messrs. Zabdiel Sampson and Nymphas Marston, in their report, stated that the trees having been cut down and the beach grass destroyed on the seaward side of the Cape, the sand was constantly being driven in great quantities towards the harbor. They made reference to the utter disregard of the existing laws for the preservation of the beaches and harbor, on this wise: "The space where a few years since were some of the highest lands on the Cape, covered with trees and bushes, now presents an extensive waste of undulating sand." They recommended prohibiting "by severe penalties neat cattle, horses, and sheep from going at large on the Province Lands — the cutting of beach grass and woods — and the pulling up of any roots, shrubs, trees, or grasses;" and also proposed "the cultivation of beach grass, the setting out of such grass on the Cape and on Long Beach, and the construction of a brush fence on said beach." The estimated cost of this work was \$3600. The result of this report was a resolve "that the senators of this Commonwealth in Congress be instructed and the representatives requested,

Hon. JOHN DAVIS, judge of probate, died May 27, æ. 80½ years — universally respected — an upright judge, a faithful physician, a most estimable citizen.

A flint-glass manufactory was established in Sandwich, the present year, by individual enterprise. Ground was broken in April, dwellings for the artisans and other workmen were built, and the first design of the establishment was so far executed that the glass blowing commenced on the 4th July. The following year the establishment was purchased of the proprietor, and, as will appear, the company purchasing was incorporated.

This year also occurred one of those often recurring disasters that involve Cape families in deep affliction. A vessel, M. Graton master, returning from Charleston, S. C., in the month of May, was lost, in which as passengers were some thirty or more of the most estimable young men of the upper towns.¹ Nor was this the only disaster: the year was peculiarly afflictive to Truro. Many of its most active and enterprising citizens found

to use their endeavors to procure an appropriation by Congress for the purpose of preventing the destruction of Provincetown harbor." The application to Congress was so far effectual that, May 20, 1826, \$3500 was appropriated. The amounts appropriated by Congress, at various times, "for the preservation of Cape Cod Harbor," were as late as 1838, as follows: —

May 20, 1826,	\$3500	March 3, 1835,	\$4400
March 2, 1831,	2050	July 2, 1836,	4400
July 3, 1832,	4600	July 7, 1838,	4500
June 28, 1834,	4400		
		Total,	\$27,850

¹ These were generally mechanics returning from their annual sojourn during the healthy seasons in prosecution of their business in South Carolina. Of the number were Charles Bassett, William Tobey, Isaac Bates, Ezra Bourne, Howland Fish, William Crowell, and Henry Crowell, all of Sandwich. The others were of neighboring towns.

a watery grave whilst engaged in their avocations upon the great deep. A monument erected in the burying ground of that town, to commemorate the lost, tells of an event that carried the cry of sad distress into a large portion of the families of the place.¹

The Barnstable Bank, located in Yarmouth, was incorporated Feb. 26.² Other legislation of a less public nature was had.³

In 1826, a treaty of commerce, navigation, &c., between Denmark and the United States was concluded; and a similar treaty with the federation of Central America.

Whilst the people of these States were engaged in celebrating their national anniversary, July 4, John Adams and Thomas Jefferson died; the day being the completion of the first half century of our Independence. The coincidence is more remarkable from the fact that these distinguished statesmen and ex-presidents were the first on the committee for preparing the

¹ It was stated in the journals of the day that nearly 600 seamen belonging to various fishing towns in Mass. were lost by the succession of severe storms that occurred this year. Among those belonging to Truro, were Capt. Reuben Snow and Thomas Hopkins who were lost at sea near Provincetown in the month of Jan.; Leonard Snow, Moses Collins, John Snow, Henry Snow, Jonathan Collins, Jonathan C. Lee and John S. Molany, who shared the same fate June 1; and Ephraim Atkins, James Lewis, David Dobbs, Parker Lambert, Joseph Smith, and Francis Churchil, lost by the foundering of their vessel on the Grand Bank in March or April.

² The capital of this bank, when first established in 1825, was \$100,000; increased in 1835, to \$150,000; in 1848, to \$200,000; in 1851, to \$300,000; and in 1854, to \$350,000.

³ Additional legislation for the preservation of forests and woodlands; regulating the eel fishery in Harwich, the lobster and clam fishery in Truro, and the taking of alewives in Harwich.

Declaration of Independence, one the writer, the other the foremost advocate of that memorable document; they were also respectively at the head of the two opposite parties that early divided the country in its political views. Differences of opinion, however, did not sunder their mutual esteem and friendship, nor did death separate them.

The first printed newspaper attempted in the county was commenced this year at Falmouth.¹ The Boston and Sandwich Glass Manufacturing Co. was incorporated Feb. 22, capital \$300,000. The capital was subsequently increased.² — Sites for lights were ceded to the United States, the one on Long Point, Provincetown, the other on Sandy Neck, in Barnstable. Additional legislation was had for the preservation of Cape Cod harbor; as also the protection of the lobster, tautog, bass, and other fisheries in Falmouth.

In 1827, the revision of the tariff, with a view to afford adequate protection to American manufactures, again occupied the deliberations of Congress. The result was the passing a bill to that end, May 13, which was not only the cause of dissatisfaction to the country, but entirely unconformable to the wishes of the advocates of a protecting system.

The burning of the County House in Barnstable, a brick building and intended to be fire-proof, at night, Oct. 22, with ninety-three folios of Records of Deeds, also numerous deeds left for record and remaining in the office, vols. 29, 44 and 46 of the Probate Records, and other records and papers, was a serious calamity.³

¹ See Appendix D.

² See Appendix E.

³ The first record of a deed, made in this county, was Oct. 6, 1666; previous to that time the recording was done at Plymouth.

—The Chatham and Harwich Manufacturing Co., for cotton and woollens, in Harwich, was incorporated. That there should be cherished a disposition to vary the industrial pursuits of the Cape, is natural ; but observation has hitherto shown that such attempts in the lower towns are rather spasmodic than enduring, and that the seas claim a transcending influence.¹

The 4th of July, this year, witnessed the demise of ex-president Monroe.

In 1828, Jan. 16, an extra term of the Court of Sessions was authorized, "to take measures for the erection of county buildings in consequence of the late destruction by fire ;" and, March 10, an act was passed by the General Court to remedy as far as possible the loss of records. It was made the duty of the selectmen of each town to cause to be fairly recorded all deeds for conveyance of any real estate or any interest therein, lying in their respective towns, which shall be brought to them for the purpose, and which bear date not more than forty years back and have been recorded in the registry of deeds of the county before the 23d of Oct. last ; the said books of records then to be deposited in the office of the register of deeds for the county, and to be as effectual in law as the first records destroyed by fire. — Sites for lights were ceded to the United States, the one Dumpling Rock in Buzzard's Bay, the other Nobsque Point in Falmouth. — The Rev. TIMOTHY ALDEN, the venerable pastor at Yarmouth, died this year, at the age of 92 ; also Col. John Freeman of Sandwich, June 8, aged 65.

During the year, the approaching Presidential elec-

¹ See Appendix F.

tion was the engrossing topic of political discussion, as again in 1832. The result of the election is memorable from the fact that the great man himself whose name was preferred by the American people, made no use of those demagogical arts that are supposed to be the resort of popular leaders where democratic institutions prevail. The zeal, however, with which the contest was waged by the respective partisans of both the candidates was highly acrimonious.

In 1829, ANDREW JACKSON became President of the United States, and remained the head of the Government two terms. Addressing himself to "the task of reform," great changes were made by the removal of officers of every department. The condition of the country was one of unexampled prosperity; at peace with all nations; the national debt in a course of rapid diminution; the treasury plethoric; the revenue annually exceeding by a large surplus the demands of government; and agriculture, commerce, and manufactures in a flourishing state. The first message of the President excited intense interest throughout the Union. The tariff, internal improvements, our Indian affairs, and the United States Bank, as well as executive appointments, became prominent and universal subjects of discussion.

Chatham Academy was incorporated March 2; the Provincetown Fire and Marine Insurance Co. was incorporated June 12; certain estates were annexed from Truro to Provincetown; and David Dimmick and others were authorized to erect and maintain a wharf at Red Brook in Sandwich.

In 1830, a new treaty of commerce was concluded

with Great Britain, by which the ports of that power were, in the West Indies, South America, the Bahamas, Bemudas, &c., thrown open to the vessels of the United States; and the ports of the United States to British vessels coming from those places. The result of this arrangement, it has been said, was the giving of the carrying trade between this country and the West Indies, to Great Britain chiefly.

A treaty with Turkey also, gave to the United States the free navigation of the Black Sea, and the trade of the Turkish Empire.

The decease of the Hon. Wendell Davis of Sandwich who had filled positions of much prominence in the county occurred this year.¹

¹ Hon. WENDELL DAVIS was the son of Thomas of Plymouth, b. in Albany, 1722, and g. s. of Thomas of Albany, who m. Catharine Wendell and emigrated to N. Carolina and settled on the N. side of Albemarle Sound near Little River in Hertford Co., not far from Edenton. The father came to Plymouth from N. C. abt. 1742. He was a successful merchant, and d. March 7, 1785. By m. with Mercy dr. of the first Barnabas Hedge, he had Sarah, June 29, 1754, who m. Le Baron Bradford and d. Nov. 10, 1818; Thomas, June 26, 1756, who was several years treas'r of the Commonwealth, and d. Jan. 21, 1805; William, July 13, 1758, a prosperous merchant and influential citizen; John, June 25, 1761, who was 40 yrs. judge of U. S. Dist. Court, and d. Jan. 14, 1847; Samuel, March 5, 1765, the distinguished antiquarian, who d. July 10, 1829; Isaac P., Oct. 7, 1771, to whom Mr. Webster in token of long and close friendship dedicated the 2d vol. of his works, and who d. Dec. 30, 1830; and Wendell, Feb. 13, 1776. The latter grad. H. C. 1796, was ad. to the bar 1799 and settled in Sandwich, where, 1802, he m. Caroline Williams, dr. of Dr. Thos. Smith by his 2d wife the dr. of Rev. Abraham Williams. Issue: Wendell Bayard, July 17, 1803, grad. H. C. 1823, d. whilst a theol. student at C., March 8, 1827; Sam'l H., April 1, 1808, who d. in Boston, Nov. 14, 1831; George Thomas, Jan. 12, 1810, grad. H. C. 1829, ad. to the bar 1832, settled at Greenfield, Mass., Senate 1840-41, Cong. 1851-3; and Wendell Thornton, April 12, 1818, grad. H.

CHAPTER XXVII.

Bank Veto. — French Spoliations. — New Tariff. — Nullification threatened. — The Cholera. — Mashpee, enlarged Privileges to. — The Deposits. — Panic. — Surplus Revenue. — Commercial Crisis. — Celebration at Barnstable. — Agricultural Society. — Disasters at Sea. — The Cambria. — Cape Cod Railroad. — Severe Winter. — Successive Events. — Mashpee Indians. — Cape Cod Association organized. — Province Lands. — Celebration. — Provincetown Bank. — Bank of Cape Cod. — Telegraphs. — Propagation of Fish. — Representation. — Canal.

IN 1831, the Bank of the United States, whose charter was to expire in 1836, was destined, by the Presidential veto, and the impossibility of obtaining the constitutional majority for passing the bill for its re-charter without the signature of the President, to cease to be a national institution.

A treaty with France was negotiated, and Louis Philippe agreed to pay the United States 25,000,000 francs, to indemnify for spoliations on American commerce made under the decrees of Napoleon. The sum stipulated did not amount to more than one third of the just claims of the citizens of the United States, but the liquidation, even on terms so unfavorable, was

C. 1838, ad. to the bar 1841, mem. legislature from Greenfield 1852, '53, '57. — Mr. Davis was clerk Mass. Senate; afterwards senator, as also rep. from the town of S., and several years high sheriff of Barnstable County. He d. Dec. 30, 1830, and was buried in Plymouth. Of his maternal ancestry were Gov. Bradford, Elder Brewster, Richard Warren, &c. Mrs. Davis, who was a woman of fine education, unusual elegance of person, and highly accomplished, survived her husband many years.

hailed with the pleasing hope of realizing something from their just dues so long deferred. It is to be regretted that nearly all of the original claimants that then survived, were fated by the remissness of their own country to fulfil its obligations to them, to go down to their graves with disappointed expectations.

The Institution for Savings, in Barnstable, was incorporated Jan. 1829; the Duck Harbor and Beach Co. in the town of Wellfleet; the Union Wharf Co. in Truro; the Skinnaquits Fishing Co. in Harwich; and an act was passed for the preservation of the harbor, &c., in the west side of Griffin's Island.

The year 1832 was the period of threatened nullification on the part of South Carolina. A new tariff bill was passed in Congress, in consequence of which the "State's rights party," as they were at first called, prepared themselves by high excitement, for rash measures and consequent humiliation. — That terrible scourge, the Asiatic cholera, also made its first appearance in this country.

Incorporation was granted to the Fishing Insurance Co. of Provincetown, for taking marine risks on vessels employed in the fishing and coasting business, &c., which object was afterwards extended; to the Salt-water Pond Co. in Harwich, for the purpose of constructing a harbor in Salt-water Pond, opening and maintaining a channel from the same into the bay, &c., &c.; to the Proprietors of Bass River lower bridge; and an act was passed authorizing the towns of Chatham and Orleans to open a passage through Nauset Beach in Chatham for the improvement of Chatham harbor.

In 1833, March 3, another compromise, this time

touching the tariff, was effected, "designed to promote the stability of the Union"! The national bank's application for a renewal of charter was again before Congress, in connection with the question of the validity of the removal by the Executive of the public deposits from the United States Bank. Great excitement prevailed throughout the country, and some temporary derangement of the currency occurred, occasioning a partial suspension of commercial transactions. The "panic," however, soon passed away.

The Barnstable County Mutual Fire Insurance Co. at Yarmouth was incorporated March 2; incorporation was also granted to the Central Wharf Co. in Yarmouth; the proprietors of Bass River upper bridge; the Union Wharf Co. in Provincetown; the Herring River Co. in Harwich, formed for the purpose of deepening the channel, and improving the navigation, &c.; a bridge with draw was authorized to be built over the N. W. arm of Duck Creek in Wellfleet; the capital of the Barnstable Bank was increased; and additional legislation¹ was had for the protection of Cape Cod

¹ "That no neat cattle, horses, or sheep shall be permitted to go at large in the town of Provincetown, nor on that tract of land situate in the town of Truro, between the line which divides the towns of Provincetown and Truro, and a line drawn parallel with the aforesaid line from the foot of Eastern Harbor Meadow in Truro, to the Northern side of Cape Cod, in Barnstable County. And if any person shall voluntarily suffer any of the creatures aforesaid to go at large on the aforementioned lands, he shall forfeit and pay to the use of the person prosecuting therefor, for every one of said creatures, excepting sheep, not less than five, nor more than ten dollars, and for every sheep one dollar; and if any person shall wilfully pull up or destroy any beach grass planted, or which hereafter may be planted within the limits aforesaid, to prevent the destruction of Provincetown harbor, he shall forfeit and pay the sum of ten dollars for the first, and twenty-five

harbor. — The Rev. Mr. Goodwin, minister of the first parish in Sandwich, died Feb. 5.¹

In 1834, the Indian Plantation of Mashpee was, by act of the legislature, again constituted a district, under restrictions judged expedient, but restoring to the Indians some rights and privileges of which they had been despoiled by various and long-continued acts of legislation.² — The President of the United States advised reprisals to satisfy the amount fixed by treaty as the just claims on the French nation, for spoliations committed under the Berlin and Milan decrees; but these claims were soon, in consequence of the energetic course of the President, paid to the American Government.

JOHN DAVIS was Governor of the State, as also the succeeding year. Incorporation was granted to the Pocasset Iron Co. in Sandwich; the Institution for Savings in Wellfleet; the First Baptist Society in Orleans; and the First Universalist Society in Orleans. Authority was given to build a bridge over Sesuit Creek in Dennis, also over Herring River in Harwich; and an act was passed to protect the oyster and other shell fisheries in Sandwich. A Prussian brig, wrecked at Truro, furnished another instance of the dangers

dollars for every subsequent offence, to the use of the person prosecuting therefor." Other acts to render the laws more effectual, were passed in 1835, 1837, and 1838, to which we may not again refer.

¹ The Rev. EZRA SHAW GOODWIN, youngest son of Gen. Nath'l Goodwin of Plymouth by his marriage with the daughter of Rev. John Shaw of Bridgewater, was b. Sept. 11, 1787; grad. H. C. 1807; supplied the parish from Sept. 1811, through the greater part of 1812, and was ord. pastor Mar. 17, 1813. He m. Ellen Watson, d. of Hon. John Davis of Boston, 1811, and d. æ. 46, in the 20th of his ministry.

² For a view of these several enactments, see chapter on Mashpee.

that beset this part of the coast, and illustration of the noble-heartedness of Truro men in imperilling their own lives in endeavors to rescue strangers from death.¹

In 1835, Falmouth Academy was incorporated March 7; and legislation authorized the building of a bridge over Swan-pond River in Dennis, and the

¹ Mr. Elisha Paine of North Truro perished in the attempt. The family of Paine, or Payne as often written, has been numerous and respectable on the Cape, and, although the descendants are still numerous in this county, has become also widely scattered abroad. Mr. THOMAS PAYNE, tradition tells, came over early and brought with him a son 10 or 12 years old bearing the same name. A THOMAS Sr. was early in Sandwich and Yarmouth several years, and in East-ham in 1655. Thomas Sr. of E., whose wife was Mary Snow, it is generally understood had Eleazer Mar. 10, 1658; Thomas; Joseph; Nicholas; Samuel; Elisha; John Mar. 4, 1661 who was inhab't 1675; Mary; James; and Dorcas. We do not presume to determine the order. THOMAS Jr. it is supposed, was Thomas Esq. the "proprietor's clerk, who settled at Pamet and m. Shaw, some say Hannah, others Abigail, Aug. 5, 1678. Issue: Hannah 1679, who d. early; Hugh July 5, 1680, and d. 1681; Thomas Feb. 28, 1681-2; Hannah 1684, who m. John Binney Jr. of Hull 1704; Jona. Feb. 1, 1685-6; Abigail 1688, who d. 1689; Abigail 1689; Phebe 1691; Elkanah Feb. 1, 1692-3; Moses Sept. 28, 1695; Joshua Aug. 28, 1697, who m. Rebecca Sparrow, Oct. 20, 1720, and removed to Ct.; Phebe 1699; Lydia 1700; and Barnabas Nov. 13, 1705. Ensign JOSEPH, "s. of Thomas," m. Patience Sparrow May 27, 1691, and d. in Harwich, Oct. 6, 1712. Issue: Eben'r Ap. 8, 1692; Hannah 1694; Joseph Mar. 29, 1697; Richard Mar. 25, 1699; Dorcas 1701, who m. Joseph Jenkins Jr. of Be. 1723; Phebe 1703; Reliance 1705; Thomas and Mary, (gem.) Dec. 1, 1708; Jona. Dec. 10, 1710; and Experience 1713. NICHOLAS of E., by his wife Hannah who d. Jan. 24, 1731-2, had Thankful Mar. 14, 1699-1700; Priscilla 1701; Philip Nov. 18, 1704, who d. Ap. 10, 1725; Lois Sept. 29, 1705, who it is sup. m. Edmund Freeman of E. 1725; Abigail 1707; and Hannah 1709. SAMUEL of E. m. Patience Freeman, dr. of John, Jan'y 31, 1682, and d. Oct. 13, 1712. Issue: Samuel Oct. 30, 1683, who d.

construction of a wharf by Darius Weeks and others on the south shore of Harwich.—The Rev. James Freeman, D. D., a lineal descendant from Samuel of Watertown, and son of Constant of Truro, died this year, Nov. 14, æ. 77. Dr. Freeman was highly distin-

Oct. 5, 1706; Mercy Aug. 5, 1686; Nath'l July 9, 1689, who d. Mar. 14, 1706-7; Eben'r June 17, 1692; Eliz. June 11, 1694; Joshua May 20, 1696; Isaac Jan'y 3, 1698-9; Mary Feb. 24, 1703-4; Seth Oct. 5, 1706, who d. Mar. 23, 1723; and some say John, last. ELISHA m. Rebecca Doane, Jan'y 20, 1685, removed to Canterbury, Ct., about 1700, and d. Feb. 7, 1735; she d. Dec. 19, 1758. Issue: Abigail 1686, who m. Josiah Cleaveland; Abraham bap. 1691—Be. ch. rec.—who m. Ruth Adams Dec. 19, 1717; Elisha Dec. 29, 1693, who m. Mary Johnson Sept. 25, 1720; Mary 1696, who m. 1st Rob't Freeman, 2d Wm. Fitch; Solomon May 16, 1698, who m. 1st Sarah Carver Nov. 2, 1720, 2d Priscilla Fitch; Dorcas 1700; Constance who m. 1st Wm. Baker, 2d Joshua Paine; Rebecca who m. Edward Cleaveland Ap. 17, 1717; Hannah who m. Watts; and John who m. Sarah Church. James and Elisha were admitted inhab. Be. bet. 1660 and 1700. JOHN, son of Thos. Sr. of E. m. Bennet Freeman Mar. 14, 1689, who d. May 30, 1716, and 2d Alice Mayo Mar. 3, 1719-20, who d. 1748. He d. Oct. 18, 1731. Issue: John, Sept. 18, 1690; Mary Jan'y 28, 1693, who m. Sam'l Freeman 1712; William June 6, 1695; Benj. Feb. 22, 1697, who d. 1719; Sarah Ap. 14, 1699, who m. Joshua Knowles; Elizabeth June 2, 1702, who m. Jabez Snow; Theophilus Feb. 7, 1703-4; Josiah Mar. 8, 1705-6, who d. May 7, 1728; Nath'l Nov. 18, 1707, who d. Nov. 4, 1728; Rebecca Oct. 31, 1709, who m. Elisha Linnell; Mercy Ap. 3, 1712, who m. Eben Cook, and d. in Ct. 1774; Benj. Mar. 18, 1714, who d. Jan'y 14, 1716-17; Hannah Jan'y 11, 1720-1, who d. 1724; James Dec. 17, 1723, who d. 1724; Thomas Ap. 6, 1725; and Alice who m. Jason Knowles, and Hannah, (gem.) Dec. 4, 1728. JAMES son of Thomas of E. and g. s. of Thos. of Plym. resided in Be. and m. Bethiah, d. of Hon. John Thacher of Yarm. and g. dr. of Anthony, Ap. 9, 1691. Issue: James Mar. 24, 1691-2, who d. July 13, 1711; Thomas Ap. 9, 1694; Bethia 1696; Mary 1700, who m. Nath'l Freeman of Be. son of Capt. Sam'l of E. Oct. 11, 1723; Experience 1703, "who m. Hunt of Norton;" Rebecca 1705, who d. 1726; and Thomas who m. Eunice Treat.—Genealogy resumed hereafter.

guished, and was minister of the Stone Chapel, Boston. He ever retained a deep interest in his ancestral connections with the Cape.¹

An important act of the session of Congress commencing Dec. 7, was that regulating the deposits; and, the public debt being extinguished, the distribution of the Surplus Revenue among the several States. The United States Bank, established in 1816, was now winding up its affairs.²

In 1836, MARTIN VAN BUREN was duly elected to succeed Gen. Jackson, whose presidential term was to expire March 4 of the coming year. The election, in its results, forcibly illustrated, so far as the opposing party was concerned, the effects of disunion. One thought, however, may, in future, cheer the desponding: in all the political battles that have been fought, it has been predicted that ruin to the country was inevitable if *something* should not happen. Although that something has *not* happened, the country has moved onward in strength. The ruin, quadrennially predicted, does not come to pass.

EDWARD EVERETT was Governor of Massachusetts, and continued to 1840. Incorporation was granted to the

¹ "Honesty and truth pure and transparent, associated with gentleness and urbanity, unaffected modesty and real kindness and good will, were qualifications so distinctly marked in every word and action, and every look, that no one could know him without reading them there. His candor was proverbial, never rude, harsh, or uncharitable. He was always generous, affectionate, just." — *Rev. F. W. P. Greenwood*.

² The Bank of North America, national, established under the auspices of Hamilton 1784, continued but 4 yrs., when its charter was repealed. The old Bank of the U. S. inc. 1791, expired by limitation 1811. The first bank in Mass. under the State Constitution was inc. Feb. 7, 1784, cap. £500,000.

Rock Harbor River Co. in Orleans and Eastham; to the Andrews Fishing Co. in Harwich; to the Brewster Harbor Co. for widening, deepening and rendering navigable Mill River Creek in Brewster, and the Orleans Fishing Co. to open the brook running from Hester's Pond to Pleasant Bay. Another part of Truro was annexed to Provincetown; and an act was passed for regulating the alewife fishery in Wellfleet.

A commercial crisis reached its maturity in 1837. Facilities having been freely granted for credit, and the good old ways of frugal, honest industry having given place in sad degree to a mania for amassing fortunes in haste by speculation, the revulsion attendant on this state of things was felt by the whole community in a greater or less degree; specie payments were suspended, and a commercial gloom overspread the country. By this condition of affairs, the interests of the Cape were necessarily somewhat affected. Prosperity, however, after a while beginning again in the great marts of trade to follow business conducted with moral legitimacy, the industrial interests of the Cape also revived. The effect, notwithstanding, of the disastrous crisis of 1836-7, there has been reason to apprehend, if we may speak of our country as a whole, has never been entirely obliterated. The Cape, we think, has maintained its integrity; but whether the needed reformation in individual extravagance, a general resort in the whole country to modes of wholesome and productive industry, and stern conscientiousness universally in business transactions, have characterized the age in which we live, is a grave question.

Incorporation was this year granted to the Fish Wear Co. of Orleans; the North Falmouth Fishing Co.

— authorized to regulate the brook running from Nye's Pond to Cautomet Harbor, &c.; the Boat-meadow River Co. of Eastham; and the Rock-harbor Fishing Co. of Orleans. An act was also passed, Feb. 22, establishing the dividing line between Wellfleet and Truro.

In 1838, incorporation was granted to the North Wharf Co. in Truro; the Benevolent Society in Truro; and the Camp-Meeting Grove Corporation of Eastham — to hold a tract of land for the use of annual religious meetings. The 'North Parish in Harwich' was authorized to take the name of The First Parish in Brewster. Acts were passed in favor of wharves at Little Harbor at Wood's Hole, Red Brook Landing in Sandwich, and Wood's Hole Harbor. — Hon. Edward D. Bangs, long time secretary of the Commonwealth, and in direct lineage from Mr. Edward, the pilgrim, died April 2.¹

¹ MR. EDWARD BANGS of E. who came over in the Anne 1623, it is said was from Chichester. He superintended the building of the first vessel launched at Plymouth, a bark of 40 or 50 tons. He was deputy several years. He came to Eastham in 1644, and died in the winter of 1677-8, æ. 86. He m. Rebecca dr. of Rt. Hicks and had ten ch. in Ply. and E., all of whom lived to mature age; viz., Rebecca who m. Jona. Sparrow Esq. Oct. 28, 1654; John; Sarah who m. Capt. Thomas Howes Jr. of Y. 1656; Jona. 1640; Hannah who m. John Doane, son of Dea. John; Lydia who m. Benj. Higgins Dec. 24, 1661; Joshua; Bethia May 28, 1650 who m. Gershom Hall; and Mercy and Apphia Oct. 15, 1651 gem., the first of whom m. Stephen Merrick, the second m. 1st John Knowles and 2d Joseph Atwood. — Capt. JONATHAN b. 1640, who was deputy several years, and representative many years, and d. Nov. 9, 1728, æ. 88, m. 1st Mary Mayo July 16, 1664 who d. June 1711 æ. 66, had Edward Sept. 30, 1665 at E.; Rebecca 1667; Jona. April 30, 1670 who d. inf.; Mary 1671; Jona. May 4, 1673; Hannah 1676; Thomas in May 1678; Samuel July 12, 1680; Mercy Jan. 7, 1682; Eliza. 1685; Sarah, 1687; and Lydia 1689 who m. Shubael Hineckley

In 1839, was celebrated, Sept. 3, at Barnstable, "the two hundredth anniversary of the incorporation of that town."¹ As it was designed to be also a celebration of "the settlement of Cape Cod,"² invested with more than local interest, we shall give hereafter a somewhat full, though condensed, notice of the doings at that festival.³ — Incorporation was granted to the Union Insurance Company of Provincetown; the Truro Breakwater Company — for the purpose of forming an artificial harbor; and the Eastham Fishing Company. Acts were also passed annexing part of Eastham to Or-

1712. — Capt. EDWARD, s. of Jona., b. 1665, and d. May 22, 1746, m. 1st Ruth —, and had Joshua 1685 in H.; Eben'r; Rebecca; Jona.; Mercy who m. Benj. Hatch Aug. 11, 1715; Edward, 1694; and Ruth 1699 who d. æ. 3 yrs. — Mr. EDWARD Jr., b. 1694, and d. June 3, 1756 at H., m. 1st Sarah Clark Feb. 11, 1720, who d. Aug. 8, 1727 æ. 26, and 2d Rebecca Higgins 1730 who d. 1768 æ. abt. 75, had Benj. June 24, 1721; Eliza. March 6, 1723; Sarah July 29, 1727; and Elkanah March 31, 1732. — BENJAMIN Esq. of H., b. 1721 and d. Oct. 31, 1769, m. Desire Dillingham Jan. 4, 1750 who d. Oct. 1807, and had Joshua 1751; Isaac Dec. 11, 1752 who grad. H. C. 1771; Lydia, 1754 who m. Capt. Shubael Downes; Edward Sept. 5, 1756, grad. H. C. 1777; Benj. July 21, 1758; Desire 1760 who m. Thomas Leach Esq. of Boston; Mehitable 1762 who m. Hon. Matthew Cobb of Portland; and Elisha 1764. — EDWARD Esq. b. 1756 in H., and d. 1818 at Worcester, m. Hannah Lynde 1788, and had Edward Dillingham Aug. 24, 1790 who was sec. of Com. of Mass. many yrs. and d. at Worcester April 2, 1838; Joshua who d. young; and Anna L. who d. young. — Genealogy to be resumed in other branches in future pages.

¹ The oration of Dr. Palfrey was, as might be expected, an interesting production; and the celebration in all its arrangements was most felicitous.

² The title of the oration delivered on the occasion, is "A Discourse pronounced at Barnstable on the 3d of Sept. 1839, at the Celebration of the Second Anniversary of the Settlement of Cape Cod." The latter clause of the title is, inadvertently no doubt, a misnomer. We note this not captiously, but from regard to strict historical accuracy.

³ See Appendix G.



J. Crozeller Lith. Boston

Almer Davis,

Born, July 17th 1784. — Died, Sept. 4th 1839.

leans; also for protecting the fisheries in Oyster Island and Poppenessit Harbor. — Abner Davis Esq., for many years register of probate and holding other important offices with honor, died this year, Sept. 4.¹

In 1840, MARCUS MORTON succeeded Mr. Everett as Governor of Massachusetts. — The census, this year,

¹ Mr. DAVIS was highly and deservedly esteemed. Admitted to the practice of law 1811, he established himself in Barnstable, his native place. In 1816, he was appointed deputy marshal for the district of Barnstable; in 1819 received the appointment of clerk of the courts for the county; and in 1823 was appointed register of probate. The two last-named offices he held until 1836, then resigning on account of the state of his health. He was also just. pac. et quo. from 1818, as also of the number appointed to qualify civil officers. Mr. Davis was b. July 17, 1784, and was the youngest son of JOSEPH who m. 1st Lucretia Thacher and 2d Mary Bacon, and had by the 1st m. Elisha T., Joseph, Rebecca, Polly, Lucretia, — by the 2d, John, Barnabas, and Abner. Of this family, ELISHA T. m. Ruth eldest dr. of Hon. John Davis, and had Barzillai who settled in Haverhill, Timothy of New York, Louisa who d. young, Phebe T. who m. Eben. Bacon, Lucretia who m. Mr. Sweet of Boston, Elisha who d. without issue, and Lothrop who d. early; JOHN m. 1st Lydia dr. of Joseph Allen and 2d Lydia S. dr. of Daniel Crocker, and had by the 1st m. Joseph A. now of Boston, — by the 2d, Barnabas now of Boston who m. Abigail S. Bacon, Lydia S. who m. Horace Scudder, and John William who d. æ. 12; and ABNER Esq., whose death is mentioned above, m. Nancy dr. of Daniel Cobb, by whom he had Adolphus now of Boston who m. Mary Draper, Abigail who m. John Gray, Frank, James who m. Abigail Farris, Elizabeth, Mary, Frederick who m. Eveline Smith, John, and Joseph who m. Henrietta Kendall. — These were all descended from ROBERT, through his son JOSEPH who m. a g. dr. of Elder Henry Cobb, and through Joseph's son JAMES who m. Reliance Cobb and was the father of Joseph the father of Abner Esq. See page 578. For the engraved portrait that accompanies this brief notice, we acknowledge with gratitude, obligations to Barnabas Davis Esq. of Boston, merchant, whose disinterested and generous impulses we have also witnessed on other occasions.

showed the number of the inhabitants of the United States to be 17,068,666; in Barnstable County, 31,662. — The Wellfleet Marine Benevolent Society was incorporated; also Truro Academy. Acts were passed authorizing the laying out of a road and constructing a bridge across Oyster River in Barnstable; a road and bridge across Snow's Creek in Barnstable; and investing Mashpee with the duties and liabilities of a parish.

In 1841, JOHN DAVIS was elected Governor of the Commonwealth, and was continued in office, to 1843. — WILLIAM HENRY HARRISON, having been elected as President of the United States, by a majority of electoral votes, 174, was inaugurated March 4. He expired, at Washington, April 4, just one short month from the day of his assuming the office; and in accordance with the provision in the Constitution, JOHN TYLER, Vice President, discharged the duties of the office the remainder of the term. — A part of Mashpee was annexed to Falmouth; the Wharf and Harbor Company of Dennis was incorporated — to construct and maintain a breakwater and improve the harbor at Suet Creek; and authority was given to construct a highway and bridges across Pamet, Hopkins, and East Harbor Creeks in Truro. — The Rev. Nathan Underwood, who for a long time was pastor of the South Precinct church in Harwich, died this year, May 1, æ. 88;¹ also the Rev.

¹ The Rev. NATHAN UNDERWOOD was born in Lexington, Aug. 3, 1753. When the oppressive measures of the British government were being pushed, he was an apprentice to a carpenter, but had begun to cherish a strong desire to achieve a liberal education. The spirit which actuated some of his friends and neighbors present at the Lexington battle, from participating in which he had been kept

Philander Shaw, the pastor at Eastham, Oct. 10, æ. 73. — Another dreadful calamity befell the town of Truro. In October fifty-seven men of that town perished in one gale.

only by a severe cut of the foot, began, however, at once to influence his youthful mind, and he soon relinquished all thoughts of trade or learning, and joined the provincial army at Cambridge to follow the fortunes of the approaching stormy contest. He was present at the battle of Bunker Hill, and was among the last to leave when the enemy took possession of the ground. At Cambridge, when Gen. Washington arrived, he participated in the rejoicings which that event occasioned; and was subsequently stationed at Roxbury Heights in the right wing under command of Gen. Ward. Of the detachment sent to New York, he was in 1776 with the forces of the American army on Long Island and in West Chester County; was in the regiment of Col. Williams posted on the road from Flatbush to Bedford, and the slaughter made by the attack of Sir Henry Clinton and the ferocity of the Hessians when the Americans cut their way through British hordes, he never spoke of without deep emotion. The carnage was tremendous, and the courage displayed by Mr. U.'s fellow-soldiers has scarcely its equal in the war. When Gen. Washington had determined to cross over to New York, Mr. U. was appointed a non-commissioned officer to command sixteen men in removing the ship stores and ordnance. Great secrecy was necessary, for if the movement should be known to the British, the whole American force would inevitably be cut in pieces. When intrusted with the secret and the duty, the orders he received were, 'Let not a loud word be spoken; if any man speaks loud, run him through.' He was one of the number who, under command of Col. Glover, resisted the enemy at Fell's Point; and participated in the sufferings of the army afterwards when, destitute of the common necessities of life, hunger and nakedness accompanied their fatigues and their tracks in the snows were colored with blood from their bare feet as they marched along. He frequently, in after life, referred to 'the times that tried men's souls,' and said that, on one occasion in his marches in New Jersey and Pennsylvania, a piece of pork so discolored and rusty that it appeared like old leather, was the sweetest morsel he ever ate. On another occasion where encamped, it was reported that a bullock had been butchered and supplied to some of the soldiers, and Mr. U. set off with

In 1842, the corporate name of 'Falmouth Academy' was changed to Lawrence Academy; the Marine Insurance Company of Chatham was incorporated, and the Long-Pond Fishing Company of Yarmouth — to open an outlet from Long Pond to Swan Pond and improve Parker's River. A division to proprietors of

others to obtain a share; but on arriving they found only the head remaining: this, having kindled a fire, they thrust into the flames, for a few minutes, and then, without salt or bread, seventeen men made their breakfast from it — their only meal that day, on the west bank of the Delaware. He was with Washington at the crossing of the Delaware; and in the engagements at Trenton and Princeton. The march to Morristown, Mr. U. used to say was the severest he ever experienced; "the ground frozen, the soldiers barefoot, hungry, thirsty, cold, needing sleep, many sunk under their fatigue." When Mr. U. left the service, he received an honorable discharge with the promise of a commission; but his anxiety to see his friends brought him again under his mother's roof, and, although his purpose had been to accept a commission and rejoin the army, her entreaties led him to reconsider the matter; when the idea indulged in former years of devoting himself to study, returned, leading him to prepare for admission to Harvard College which he soon entered, graduated 1788, then studied for the ministry, and was settled in Harwich Nov. 21, 1792. Under the law of Congress for the benefit of surviving soldiers of the revolution, he received a pension. Mr. U. was repeatedly in the legislature. His position as a clergyman was highly respectable. With a small salary, practising the same industry and economy that on leaving the Continental army had secured to him a good education, he became possessed of considerable estate and is reported to have been one of the most successful and scientifically practical farmers in the county. He reared a large family of sons and gave them a good education. — By his m. with Susannah Lawrence of Waltham Sept. 26, 1793, who d. 1843, he had Nathan Jr. July 18, 1794; Phineas L., Sept. 6, 1796; Joseph, Sept. 29, 1798; Leonard, May 22, 1801; Sidney, June 15, 1804; Horatio, Sept. 22, 1808; and Marshal S., June 29, 1812.

"To his laborious youth consumed in war,
And lasting age adorned and crowned with peace,"

succeeded a Christian death, and a memory revered.

Mashpee of the plantation lands, under certain restrictions, was authorized; and acts were passed for the protection of the shell-fisheries in Falmouth, and the shad-fishery in Monomoy Bay.—The Rev. Mr. Burr, for a long period ministering in Sandwich, died this year, æ. 85;¹ also Hon. Russell Freeman, Jan. 9.

In 1843, MARCUS MORTON was Governor of the Commonwealth. The Barnstable County Agricultural Association was organized May 25; its incorporation was not effected until the next year. An act of General Court was designed to regulate the herring fishery at the Herring River at Marston's Mills. The Hon. David

¹ Rev. JONATHAN BURR was b. in W. Bridgew'r 1757; grad. H. C. 1784; and ord. at Sandwich Ap. 18, 1787. He m. 1st Sally, dr. of Rev. Sam'l Cooke of Cambridge, July 1787, who d. Mar. 9, 1788; and 2d Sarah, dr. of Dr. Thos. Smith of Sandwich Oct. 1788, who survived him, and d. Sept. 28, 1847, æ. 82. Mr. Burr d. in Sandwich Aug. 2. He was a fine scholar, a faithful minister, an estimable man. In the cause of education his influence was widely felt, and many afterwards distinguished in life have acknowledged him as their accomplished preceptor. Numbers of highly respectable clergymen pursued their early theological studies under his direction. He d. without issue. He was descended from Rev. JONATHAN, minister of Dorchester ord. 1640, d. 1641, who was b. at Redgrave, Suffolk, Eng., 1604, and came with his wife Frances and 3 ch. Jona., John, and Simon, to N. Eng. in 1639. Of these JOHN settled in Fairfield, Ct., and was father of Judge Peter, who was f. of Rev. Isaac, who was f. of Rev. Aaron the Pres't of Nassau Hall College, N. J., who was f. of Aaron Vice Pres't of the U. S.; SIMON settled in Hingham 1646, and d. 1691, of whose issue was JOHN, 1659, who m. Mary Lazell, and d. 1716, leaving a son JOHN, b. 1695, who settled in Bridgew'r 1720, m. Silence Howard 1722, was a deacon in W. Bridgew'r, and had JONA. 1731, who m. Martha Cudworth 1754, and had a large family, of whom was Rev. Jona. above. We may not omit to mention that he was a fifer in the Rev. army, and in his old age received a pension.

Crocker, High Sheriff of the County, died July 29;¹ also the Rev. John Simpkins, Feb. 28, who is respectfully remembered as the estimable and able minister of Brewster.

In 1844, GEORGE N. BRIGGS was duly elected Governor of Massachusetts, and JOHN REED of Yarmouth Lieutenant Governor, by the legislature. They continued in office a series of years. The Marine Insurance Co. of Provincetown was incorporated, and the charter of the Truro Fire and Marine Insurance Co. was repealed. Acts were passed to authorize wharves

¹ MR. CROCKER was of the 5 gen. in lineal descent from Dea. William Crocker, who was in Barnstable at its first settlement. His g. g. gd. f. was Dea. William; his g. gd. f. was Dea. Job, b. 1644; his gr. f. Dea. John, b. 1683; the issue of each of whom is noticed, p. 563. The father was DANIEL, the 7th s. of Dea. John, b. in Barnstable Mar. 1, 1725-6, and m. 1st Eliza. Childs, May 19, 1748, 2d Phebe Winslow of Harwich, May 19, 1748, and 3d Bathsheba Jenkins. The issue of Daniel was Job, Mar. 6, 1749; Winslow, Dec. 31, 1755; Eliza. Mar. 14, 1760; Daniel, Mar. 8, 1762; Mary July 11, 1767; Abigail Nov. 6, 1769, who m. Hon. Eb. Bacon, and d. 1859; Joseph Jan. 1771; Prince Sept. 6, 1772; Temperance July 28, 1776; David Feb. 21, 1779; and Josiah Aug. 24, 1781. Hon. DAVID CROCKER, the 6th s. of Daniel above, m. Rachel, dr. of Hon. Eben'r Bacon; she d. June 17, 1848. Issue: Frederick W. Ap. 16, 1809, who m. Louisa G. dr. of Joseph Sawyer of Bolton; Jane 1810, d. inf.; Eben B. Nov. 1, 1811, who m. Alicia D. dr. of Matthew Cobb, Esq. of Be.; Eliza. d. æ. 7; Caroline who m. Dr. Henry Tuck of Be. who was from Kensington, N. H.; Henry H. who m. Mary A. dr. of Gideon Eldridge of Be.; and Eliza Jane who d. inf. Mr. Crocker was not only prominent in public life, but was greatly esteemed. For the engraved portrait of him, we are indebted to the kind consent of his son, Eben. Crocker, Esq., of New York, first Pres. of the C. C. Ass'n of N. York, sen'r of the firm of Crocker & Warren, merchants. It is but a proper expression of gratitude to record that Mr. C. voluntarily assumed the whole expense of the engraving.



Daniel Cocker

Born Feb 1st 1789. - Died Sept 4th 1843

in Barnstable and Provincetown harbors, the constructing of bridges in Truro, and regulating the alewife fishery in Harwich. The Barnstable County Agricultural Society was incorporated Mar. 15. A fishing schooner, the *Commerce*, with ten men on board, anchored within a mile of the shore of Truro harbor, and the next morning, Sept. 15, all were missing — supposed to have been lost by the swamping of the boat in going on shore the previous night. Five of them had families. Dr. James Thacher, of Plymouth, a native of Barnstable, d. in the month of May, æ. 90. His *Revolutionary Journal*, *Medical Biography*, *History of Plymouth*, *American Orchardist*, *Medical Dispensatory*, &c., are works that have been before the public.¹

In 1845, JAMES K. POLK was inaugurated as President of the United States. The Equitable Marine Insurance Co. of Provincetown was incorporated; also the Herring River Co. in Harwich. The "1st Reform Methodist Society in Brewster" was authorized to take the name of the Wesleyan Methodist Society; Truro to construct a bridge across Hopkins Creek; Barnstable a bridge in Centreville; and Godfrey Rider a wharf in Provincetown. Hon. Braddock Dimmick of Falmouth d. Ap. 30, æ. 84.² The entire crew of a

¹ Dr. Thacher studied medicine with Dr. Abner Hersey of Be., and was a surgeon in the Rev. army from 1775 about 7½ years. He then settled in Plym. and m. Susanna Hayward of Bridgw'r. He has left behind him this significant testimony recorded a few yrs. before his death: "I have seen public offices courting competent men to fill them; and I have seen them filled by men who with a religious conscientiousness acquitted themselves of the duty: but this now seems an antiquated morality."

² Hon. BRADDOCK DIMMICK, the eldest of the issue of the brave Gen. Joseph Dimmick of Falmo. was b. Feb. 26, 1761. He m. 1st

fishing vessel belonging to Truro perished on the Grand Banks; and within about a year afterwards, nearly a whole crew perished within hailing distance of Pond Village.¹ It is painful indeed to record so frequent disasters, and yet we have hardly begun to recount the fatalities to which especially Truro men have been exposed. It were not a fair estimate of the deaths by casualties in other maritime towns, to take these as an average. The reader must consider the almost entire devotion of Truro men to maritime pursuits; and, more than this, the peculiar situation of the town — near the extremity of the Cape, the sea being but a very short distance on either hand, and the coast bordered with dangerous shoals. Shipwrecks are here almost constantly occurring; and the humane energies of the people on shore are as often taxed in endeavors to rescue the crews of stranger-vessels, in which attempts, heroically made, but sometimes in vain, the inhabitants jeopard their own lives.² We will not fur-

Celia Crowell, Dec. 23, 1784, 2d Sarah B. Lewis, June 2, 1835, and 3d Susan D. Robinson, Oct. 27, 1836. He was at the time of his decease one of the few left who had witnessed the revolutionary struggle. He was many years a member of the State legislature, and served in both branches. He also held other positions of public trust in the town, county and state. He was a deacon of the 1st Cong. Ch. in F. 35 years. Faithful in all public trusts, a lover of good men, given to hospitality, and deeply interested in the general welfare, he was highly esteemed by all who had the pleasure of his acquaintance.

¹ The first vessel was in command of Capt. Wm. Hutchings; the last, in command of Capt. Samuel Coan.

² In 1851, "twenty or more lives were lost at sea." Mr. Bartlett of Eng., in his interesting work pub. in London, entitled "The Pilgrim Fathers," gives a glowing account of his visit to the Cape about this time, and says, "At the very moment of my arrival (at Truro,) an English vessel was on shore, and two noble-hearted inhabitants of

ther pursue the record of these painful details, than to state that, subsequently, other lives have been sacrificed; and that, in looking over the record of deaths generation after generation, nothing surprises one more

Truro had lost their lives in the vain endeavor to rescue the crew." He quotes "from a Cape Cod newspaper containing the particulars of this disaster," as follows: "Thick weather, easterly gales, and storms, never seemed to prevail with such results to vessels at this end of the Cape, as we have witnessed this month. The Danish brig struck on the bar, and came to pieces; all hands were lost. The marble with which she was laded lies there in seven feet of water. One of the bodies of the crew, supposed to be the captain, was picked up to-day. The ship 'Inez' and bark 'Queen,' and two English schooners, one of which came to pieces almost immediately on the landing of the crew, came ashore last week; crew saved. The bark 'Josepha' came ashore off the head of the meadow this week on Thursday; the screeches of her crew were heard on shore. Out of a crew of 18 men, only 2 reached the shore alive. Two men, Jonathan Collins and Daniel Cassity, belonging to Truro, sacrificed their lives in attempting to board her with a line. The body of Mr. Cassity, with six others, was picked up to-day, and brought in and identified. The papers of the bark 'Solway' were picked up on Monday. Articles not mentioned in the list of the cargo of the Josepha, are said to be floating in the surf, and it is supposed that another vessel must have gone to pieces and all on board perished. There are striking and sad coincidences in these events: the first is, that the Josepha came ashore probably not five rods from where the Prussian brig was wrecked in 1834; in attempting to save the crew of the latter, Mr. Elisha Paine perished, and in attempting to save the crew of the former, two men from the same part of Truro are now drowned: another is, that Mr. Cassity was the last of three brothers, all of whom met a similar death. Andrew Cassity was drowned by the upsetting of a boat passing from Provincetown harbor to Truro in the spring of 1846; with him perished Capt. Sam'l Coan, Daniel Pendergrass, Nath'l Paine and two lads. Timothy Cassity was lost last fall in the schooner 'E. W. Shaw,' in the Bay; with him perished Thomas Shaw, Aaron W. Snow, Cornelius Shaw, John Brensich, Cornelius Shaw, Jr., Joseph P. Wells, Michael Rich, Jr., and others, in the same vessel. Daniel Cassity, in attempting to save others from meet-

than the vast number that have occurred at sea by drowning. The public are hardly aware of the perils of the service, and can form but a faint conception of the noble daring of men who, knowing these perils, have hearts full of feeling for their fellow-men in the hour of danger. We sincerely believe, and aver without the fear of contradiction, that there is no class of men in the wide world, of more kindly sympathies, more truly great and generous and self-sacrificing when the necessities of their fellow-men call for action, than the mariners of Cape Cod.

In 1846, the British Steam-ship *Cambria*, which left Liverpool April 19, grounded on the beach at Truro, about five miles from the light. Two passengers went by express to Boston, *via* Plymouth and the Old Colony Railroad, conveying the mail; and steamers were sent which succeeded in hauling the *Cambria* off without serious damage. — The Government of Mexico declared war against the United States April 23. — The

ing the fate of his brothers, meets the same himself. He had been married but a few weeks. Mrs. Cassity has often drank the cup of sorrow in this form. Her father and only brother were drowned in the gale of 1841; her brother-in-law was drowned in the gale of Oct. 1851; and now, her husband follows them. Thus, of the four — the mother and three daughters — three are now widows, and all made so in the same way. Mr. Collins, no doubt, confided in his skill to manage a dory. He had a brave heart. D. D. Smith took his valuables from his pockets to go with Collins, but Cassity pushed him aside and took his place. They were told by many that the boat could not live; but the piercing cries from the wreck moved them to do their best to save those who must perish unless there were speedy communication from on shore. Noble men! they will live in the hearts of sailors forever. Mr. Collins arose from the tea table on the cry of ‘A ship ashore, and all hands perishing!’ and in less than an hour had perished himself.”

Cape Cod Branch Railroad was incorporated;¹ also the Pine Grove Seminary in Harwich. Authority was given to Darius Weeks and Valentine Doane, severally, to build wharves in Harwich; to Stephen Hilliard and Samuel Cook, severally, in Provincetown; to J. W. Nye, at Rocky-Point Landing in Cotaumut Harbor, Falmouth; to E. Rich, at Newcomb's Point in Truro; and to the Union Wharf Co., in Wellfleet. William Fessenden Esq., a prominent citizen of Sandwich, died this year, æ. 77.²

¹ Name subsequently changed to that of "The C. C. Railroad."

² The first of this name on these shores, were John who came from the County of Kent to Cambridge, 1636, with his wife Jane and his nephew Nicholas and niece Hannah. John was made a freeman 1641, and was subsequently selectman. John dying Dec. 21, 1666, and his widow Jan. 13, 1682, æ. 80, without issue, Nicholas and his sister, who were constituted by their uncle his heirs, were the first whose descendants remain. Hannah m. John Sewall of Newbury Oct. 28, 1674, who was s. of Henry. See Chf. Just. Sewall's diary. NICHOLAS, of Cam. then including Lexington, m. Marg't Cheney — possibly Mary, and had Jane 1674, who d. 1676; Hannah 1676, d. inf.; John 1677; Nicholas 1680; Thos. 1682, d. inf.; Thos. 1684; Marg't 1687, did not m.; Jane 1688, who m. Sam'l Winship, High Sh'f of Middlesex, 1712; Mary 1689, who m. Joshua Parker, 1712; William 1694; Joseph 1697, who m. Mindwell Oldham 1733; Benj. Jan. 30, 1701; Hannah, who m. John Chipman of Sandwich, and d. 1758; and Eben, youngest, who, as per one account, m. Eliza. Barrett June 13, 1733, and, as says another, m. Alice Babcock, and had 2 drs. — The eldest of the above sons, JOHN, resided in Cam., and by his wife Sarah had John 1704, Sarah 1706, and others. The next, NICHOLAS, grad. H. C. 1701, and d. 1719, æ. 38, having been m. Aug. 8, 1706, to Sarah, wid. of Stephen Coolidge, by whom he had Stephen, who grad. H. C. 1737 (and was a prominent lawyer at Worcester,) and others. THOS. b. 1684, m. 1st Abigail Poulter abt. 1709, and set. at Lexington, 2d m. Ab'l Locke 1720, 3d Anna Phillebrown 1737, and d. 1738, leaving issue: Thos. 1709, who m. Hannah Prentice 1735; Sam'l 1711, who m. Eliza. Allen 1740;

In 1847, the Manomet Iron Co. of Sandwich was incorporated, Jan. 29. The act of 1763, incorporating "the North Precinct of Eastham into a District by the name of Wellfleet," was repealed. Leave was granted

Abig'l 1713, who m. Wellington; Mary 1716, who m. Brown; Eliza. 1721, who m. John Pierce; Hannah d. inf.; Jona. 1723, who m. Martha Crosby June 4, 1747; Hannah 1725; John 1729, who m. Eliza. Wyman Nov. 23, 1749; Timothy 1731, who m. Eliza. Pierce; Benj. 1734, who m. 1st Lash, 2d Colder; and Submit 1736. WILLIAM, bro. of the preceding, m. 1st Martha Wyell 1716, 2d Martha Brown 1728, and d. 1756, æ. 62. He had William 1717, who grad. H. C. 1737, and had William 1747, who grad. H. C. 1768, and was ord. minister of Fryburg 1775, from which branch are Gen. Sam'l and Hon. Wm. Pitt of Portland; and Thos. who grad. H. C. 1758, the minister of Walpole, N. H. BENJA. b. at Camb. Jan. 30, 1701, and grad. H. C. 1718, was the minister and physician at Sandwich, ord. Sept. 12, 1722, and d. Aug. 7, 1746. He m. Rebecca Smith Oct. 18, 1724, and had Abig'l Aug. 4, 1725; Lucy 1727, who m. Rev. Gideon Hawley June 14, 1759; Benj. July 9, 1729; William Sept. 5, 1732, who set. in Harwich; and Thos. July 8, 1739, who removed to Lexington and then to Framingham. The Locke genealogy says (we know not on what authority) that Rev. Benj. had also Ruth, who was adopted by her uncle Winship, and m. Frs. Locke Sept. 13, 1743; and also Joseph, who resided at Camb. But these last are not found in the Sandwich records. — Of the above sons of Rev. Benj. of S., BENJA. grad. H. C. 1746, resided in S., and though educated for the ministry, became an "innholder." He m. 1st Deborah Perry, July 22, 1750, and 2d Sarah Newcomb, Oct. 19, 1760, and d. Oct. 24, 1783, æ. 55. Issue: Stephen, Oct. 27, 1750; Sam'l Sept. 2, 1752; Deborah 1754, who m. Nath'l Haskell of Roch'r, May 4, 1775; Sarah 1761, who m. 1st Moses Allen — his 2d wife, and 2d Nathan Nye — his 2d wife; Rebecca 1762, who m. Nathan Dillingham then of Pittsfield; Abigail 1767, who m. Wm. Bodfish — his 2d wife Ap. 14, 1794; Bathsheba, who m. Dea. Lemuel Freeman May 26, 1793; William Jan. 4, 1769; Lucy 1770, who m. Rev. Alvin Hyde, D. D., of Lee; Thomas July 22, 1772, who m. Ruth Wilcox 1802; Hannah 1774, who m. Thos. Eldred of Falmo. 1795; and Benja. Aug. 7, 1776. — Of this last family, SAM'L, b. 1752,

to J. H. Baker to build a wharf in Dennis, near Shad Hole; and similar acts were passed to authorize the erection of wharves, as follows: to Stephen Dillingham, at West Falmouth harbor; to Seth Nickerson, Isaiah Gifford, H. W. Freeman, and Jonathan Hill, severally, at Provincetown; and to Owen Bearse, at Barnstable, in Hyannis. Leave also to the Commissioners of Barnstable County to construct a highway and bridge across Scorton Creek in Sandwich, and across Frost Fish Creek in Chatham and Wading-Place Creek in Chatham and Harwich. Acts were also passed authorizing a mill dam across Mill Creek in Truro, and regulating the herring fisheries of Falmouth.

The severity of the winter of 1846-7 was such that travel was, for a longer time than before known, within the memory of any living, obstructed. There was, in fact, a general blockade. Even Provincetown harbor

m. Patience Tobey Ap. 22, 1774, and had Stephen Feb. 1, 1775, who d. when a young man, of lockjaw; Sam'l Jr. Feb. 22, 1777, who m. Hannah Davis of Falmo. Nov. 11, 1801, and d. without issue; Cornelius Oct. 27, 1778, who removed to Lee; Deborah 1780, who m. Wm. Eldred of F. 1802; Sarah 1783, who m. John Hatch of F. 1804; Lucy who m. John Bassett; Lois; and William Jr., who m. Lucy Pope. WILLIAM, Esq., b. 1769, m. Martha, dr. of Hon. Nath'l Freeman, Aug. 7, 1794, and had Stephen Sept. 1, 1795, who m. Caroline Larkin of Boston; Benja. June 13, 1797, who grad. H. C. 1817, was ord. at E. Bridgew'r Sept. 19, 1821, m. Mary Wilkinson of Pawtucket, and resigned the pastoral office Nov. 6, 1825 — now a manufacturer in R. I.; Nancy F., July 22, 1799, who m. Capt. Ezra Nye Jan. 5, 1826; Martha Aug. 23, 1801, who m. Joshua Tobey Nov. 8, 1824; Wm. H. Aug. 7, 1803, who m. 1st Lydia Russell of N. Bedford, and 2d Cath. —; Joshua Allen Oct. 3, 1805, who d. Dec. 15, 1830, a merch't in Boston; Nath'l F. Mar. 31, 1808, who m. Betsey Clark of Ply. 1835; Tryphosa C. Dec. 2, 1810, who m. Wm. T. Mayo of Ply. Aug. 14, 1832; Charles B. H. July 17, 1813, who m. Sarah A. H. Clark of Lima, N. Y.; and Henry, Ap. 29, 1816, who d. Aug. 27, 1847, at Victoria, Hong Kong, China.

was partially frozen, and for ten days there was no egress. The mails were delayed a still longer time.¹

In 1848, commissioners were appointed to visit the Indians within the Commonwealth, and examine and report their condition, &c.—The Cape Cod Branch Railroad was opened for travel.²—Incorporation was granted to the Hyannis Packet Insurance Co.; to the Sandwich Savings Bank, April 21; to the Truro Wharf and Breakwater Co.—to construct near Pond Landing; and to the Provincetown Marine Railway, April 24—for examining and repairing vessels.—The County Commissioners were authorized to lay out a highway and build bridges across Herring River and Swan Pond Creek in Harwich and Dennis; also across Garden River and Bass Hole Creek in Yarmouth and Dennis. The capital of the Barnstable Bank was permitted to

¹ At this time, the schooner *Bonita*, of and from Eastport, was wrecked, about half a mile east of Race Point, in a thick snow storm. She had parted cables and drifted from Cape Ann. After striking on the shore near Race Point, the sea made a complete breach over the vessel; one man was washed off and lost before relief was at hand; another perished on board, buried under the floating rubbish of the cabin. Through the noble efforts of citizens of Provincetown, four were saved from impending death. The water was already above their waists in the steerage, and the house broken up; the captain had lashed himself to the bit-heads, and others clung about the gaff and mainmast. The mate succeeded, after great exposure and suffering, in floating some spun-yarn through the surf to the beach, by which he received a small hawser, to which he fastened the benumbed captain and threw him overboard; as he also threw two others in succession; then bent himself on; and all were hauled through the surf a distance of forty or fifty yards. The captain was badly frozen and nearly exhausted, before being thrown over; but by the kindly attentions of the rescuers, all were finally restored.

² See Appendix H.

be increased; the dividing line between Harwich and Brewster was changed; laws were enacted, to enable Benj. Freeman and others to straighten and widen Mill Creek in Brewster, Jeremiah Mayo and others to build a breakwater and wharves at the Point of Rocks in Brewster, and for the improvement of the harbor of Dennis; also to legalize the erection of wharves, by J. A. Paine and Allen Hinckley,¹ severally, in Truro;

¹ The mention of the name of Hinckley puts us in mind to continue in this place because convenient to do so, the genealogy in part of a numerous and widely-scattered family of high respectability. — The ancestor, Mr. SAMUEL, (see p. 343,) had children: Thomas, b. in Eng. 1618; Susanna, who m. Mr. John Smith, 1643; Sarah, who m. elder Henry Cobb, his 2d wife, Dec. 12, 1649; Mary; Samuel, bap. at Scituate, Feb. 4, 1637; Samuel, bap. Feb. 10, 1638; Samuel, bap. July 24, 1642; John, bap. May 24, 1644; and Elizabeth. These are all, with the exception of the two Samuels who d. early, mentioned in his will, pr. 1663. There have been conflicting statements in regard to the time of the nativity of the eldest son, Gov. Thomas; but his age is affixed to a poem which he wrote in 1703 on occasion of the "sad event" of the decease of his second wife, and this is decisive. He was then "ætatis 85."

The issue of Gov. THOMAS we have named p. 343, with one exception, which omission we will here supply, as also a minuter statement of dates and events. His children were Mary, Aug. 3, 1644, who, according to the Gen. Reg., is supposed to have m. a Weyborne; Sarah, Nov. 4, 1646, who m. Nath'l Bacon Jr. March 27, 1673; Melatiah, Dec. 25, 1648, who m. Josiah Crocker, Oct. 22, 1668; Hannah, Apr. 15, 1650, who m. Nath'l Glover; Sam'l, Feb. 14, 1652; Thomas, Dec. 5, 1654; Bathshua, May 15, 1657, who m. Shearj. Bourne; Mehitable, March 24, 1658–9, who m. 1st Sam'l Worden, 2d Wm. Avery Oct. 13, 1698; Admire, Jan. 28, 1661, by 2d m., who d. æ. 2 w.; Ebenezer, Feb. 22, 1662, who d. young; Mercy, Jan. 1663, who m. Sam'l Prince Esq. of Sandwich; Experience, Feb. 1664, who m. James Whipple; John, June 9, 1667; Abigail, Apr. 8, 1669, who m. Rev. Joseph Lord of Chatham, 1698; Thankful, Aug. 20, 1671, who m. Rev. Experience Mayhew, Nov. 12, 1695; Eben'r, Sept. 23, 1673; and Reliance, Dec. 15, 1675, who m. Rev. Nath'l Stone of Harwich.

Amasa Nickerson, at Deep Hole in Harwich ; Job Chase, Harwich ; Levi Barlow, Sandwich ; John Atwood Jr., at Long Point in Provincetown ; Joshua Dyer and Seth Nickerson, severally, at Provincetown ; J. W. Magoun,

—The Hist. Reg. says the 2d wife of Gov. H. was “widow of Nath’l Glover ;” others say, “widow of John.”

SAMUEL, 4th s. of Mr. Samuel, b. 1642, m. 1st Mary Goodspeed, Dec. 14, 1664, who d. Dec. 20, 1666, and 2d Mary Fitzrandle, Jan. 15, 1668. They had Benj., Dec. 6, 1666 ; Samuel, Feb. 6, 1669, by 2d m., who d. Jan. 3, 1676 ; Joseph, May 15, 1672 ; Isaac, Aug. 20, 1674 ; Mary, May 1677, who d. 1679 ; Mercy, April 9, 1679 ; Eben’r, Aug. 2, 1685 ; and Thomas, Jan. 1, 1688–9.

JOHN, 5th s. of Mr. Samuel, b. 1644, and d. Dec. 7, 1709, m. Bethia Lothrop, July 1668, who d. July 10, 1694, and probably m. 2d Mary Goodspeed, Nov. 24, 1697. He had by Bethia, Sarah, May 1669 ; Samuel, Feb. 2, 1670 ; Bethia, March 1673, who d. April 2, 1715 ; Hannah, May 1675 ; Jonathan, Feb. 15, 1677 ; Ichabod, Aug. 28, 1680 ; and Gershom, April 2, 1682.

SAMUEL, eldest s. of Gov. H., b. 1652, was in the Narraganset war. He m. Sarah Pope, Nov. 13, 1676, and had Mary, July 22, 1678, who d. young ; Mehitable, Dec. 28, 1679 ; Thomas, March 19, 1680–1 ; Seth, Apr. 16, 1683 ; Sam’l, Sept. 24, 1684 ; Elnathan, Sept. 8, 1686, who d. early ; Job, Feb. 16, 1687–8 ; Shubael, May 1, 1690 ; Mercy, Jan. 11, 1692–3 ; Josiah, Jan. 24, 1694–5 ; Elnathan, Dec. 29, 1698.

SAMUEL, the 2d son of Sam’l above, b. 1684, m. Mary, dr. of Edmund Freeman of Eastham, and g. dr. of Maj. John. Issue : Seth, Dec. 25, 1707 ; Shubael, March 25, 1708–9 ; Sam’l and Mary, gem., Feb. 12, 1710–11, the latter of whom d. early ; Edmund, Nov. 20, 1712 ; Reliance, Nov. 21, 1714 ; and probably Aaron, in Me., 1716, whither the parents had removed. The father was one of the “associated persons” for the purpose of forming the 1st church in Biddeford 1729–30, and at the 1st town meeting held in Brunswick, March 28, 1739, he was mod’r. He was also chosen town clerk, selectman, and representative in 1747.

SHUBAEL, of the last named family, “whose father was from Barnstable,” was of “Old York, Me., and moved to the neighborhood of the Kennebec.” He m. 4 times, had 20 ch., and d. at Hallowell, Feb. 2, 1798, æ. 91. The families thus descended are numerous and widely

Truro; N. Fiske, Dennis; and S. J. Eldred, at West Falmouth harbor. — We have thus far noted the improvements sanctioned by special laws, as indicating the progress of the business of the county; but as we approach the close of our general history of the Cape these events are so multiplied that we economize the space allotted to us, and omit much of the minor details.

In 1849, ZACHARY TAYLOR became President of the United States. — Capt. Benjamin Hallett of Barnstable died, Dec. 31, aged 90.¹

Within a few years past, much attention has been

scattered in Maine. From JAMES, son of Shubael, b. Jan. 4, 1739–40, was Dea. JAMES, Aug. 14, 1769, of Hallowell, who was the father of Owen of Eastport, Rev. Smith of Dresden, Nicholas of Monmouth, and Henry K. now of Portland.

¹ Capt. BENJAMIN HALLETT, b. Jan. 18, 1760, at Hyannis, was in many respects an extraordinary man. His tomb-stone records that “his lineal descendants living at his decease were 79, viz.: 8 children, 32 grandchildren, and 1 great-grandchild. In the war of Independence he served three years — on board the *Dean* frigate and in the land forces. The pioneer in the coasting-trade, he raised the first Bethel flag for seamen’s worship in New York and Boston.” It is stated that “he was the first who opened the coasting-trade between Boston and Albany, 1788, a trade then in danger of being overdone by two sloops, but which now loads fleets and railroad trains. In 1808 he built the sloop *Ten Sisters*, the most noted packet for many years between Boston and New York. On board this vessel the sailors’ meetings were first held in New York in Coenties’ Slip, just after the war of 1812.” Capt. H. was from his 20th year a professor of the Christian faith, and a prominent member of the Baptist church. “Singularly gifted in prayer and exhortation,” he took an active part in religious meetings, and was distinguished among his denomination in his later years as “a Christian patriarch.” He desired that the text for his funeral sermon should be, “By grace are ye saved, through faith, and that not of yourselves — it is the gift of God.”

given to the improvement of public roads in the county ; and the subject has awakened an interest that is destined ultimately to secure for the Cape fine roads in all its towns. The county commissioners were authorized to lay out a highway and build a bridge across navigable waters in Dennis ; and a highway across East Harbor in Truro, "from the end of Beach Point to Provincetown." Individuals were authorized to construct bridges over Red River in Chatham, and Swan Pond River in Dennis. — A site was ceded to the United States for a light at Hyannis ; and Loring Crocker et al. were authorized to build a dike across Rendezvous Creek in Barnstable.

In 1850, July 9, Gen. Taylor, President of the United States, died at Washington, and MILLARD FILLMORE, Vice-President, became, *ex officio*, the supreme executive. — The population of the United States appeared by the census returns to be 23,171,680 ;¹ of Massachusetts 994,514 ; of this county, 33,997. — The preservation of Cape Cod harbor was yet again the subject of legislative enactment, and an appropriation by Congress was urged.² — The activity of the Cape has at no time since

¹ The Abbé Raynal, in his "Revolution of America," said, in 1780, "We cannot determine, without rashness, what may one day be the population of the United States ; if ten millions of people ever find a certain subsistence in those provinces, it will be much."

² The State Legislature directed that the attention of Congress should be called to the "immense importance of the harbor to our national and commercial marine." The danger threatened is thus set forth : "The harbor is being greatly injured by the drifting of loose sand from the beach into said harbor, by which or by other causes, the current of the tide is undermining and wearing away said beach, which is the only barrier between the harbor and ocean, and which, if once removed, will effectually destroy said harbor."

its first settlement been on the wane; but the channels of its industrial enterprise have from time to time varied according to circumstances. In the extent of its fishing operations, it now finds worthy rivals elsewhere.¹ Whatever may be the final result of any attempts to reclaim for more useful purposes the vast amount of salt marshes that indent the bounds of the Cape, the incorporation this year of "The Great Marsh Diking, Water Power, and Fishing Co. of Barnstable," discovers a reaching for improvement. The object was "to construct a dike in the northerly part of the town, from Calves-pasture, so called, to Sandy Neck, to prevent the flow of the salt waters above the line of the contemplated dike, for the purpose of draining the marshes there situate, and converting the same into meadow or tillage land," &c.—Other indications of progress are found in the grant of authority to construct a marine railway near Lewis' Bay; and bridges over Oyster Pond River in Chatham, and Duck Creek in Wellfleet; as also in the call for additional banking establishments, and the increase of capital.

¹ We wish it were convenient to exhibit the statistics of the fisheries of the Cape in full; but it would require more labor than we are willing to assume at this stage of our History. We may state, however, that the mackerel and other fisheries of the Cape, upon the ocean, have been estimated for this and the preceding year, in barrels, as follows:—

Barnstable, in 1849, at 6,212 bls.; in 1850, at 6,065.				
Yarmouth,	"	5,832	"	" 5,821.
Dennis,	"	11,085	"	" 20,395.
Harwich,	"	14,605	"	" 14,839.
Chatham,	"	3,845	"	" 5,764.
Wellfleet,	"	18,549	"	" 17,615.
Truro,	"	11,862	"	" 8,570.
Provincetown,	"	23,347	"	" 27,865.

In 1851, GEORGE S. BOUTWELL was elected Governor of Massachusetts. — "The Cape Cod Association in Boston," was organized May 12. "A general desire had been for some time expressed among the sons and descendants of Cape Cod, residents of Boston and vicinity, that there should be some more direct and agreeable method than had before existed, for bringing into acquaintance and familiar social communion those claiming a common Cape Cod origin." This was followed by "general consultation and interchange of sentiment upon the subject," and a "determination to organize a society for the purposes above indicated."¹ — The renewed increase of bank capital; the incorporation of the Seamen's Savings Bank at Provincetown, and the Marine Railway Co. at Chatham; together with the application made by the C. C. Branch Railroad Co. for permission to extend the road from Sandwich, through the towns of Sandwich, Barnstable, and Yarmouth, on the north side of the range of hills dividing the north and south sides of the Cape, to some point in or near the village of Yarmouth Port, and thence to and into tide-water at Hyannis harbor — with the in-

¹ The object of the Association, as set forth in the constitution, is "To encourage and promote among all the native born and descended of Cape Cod, temperance, industry, sincerity, good humor, charity, the social affections and generous sentiments; and all natives of Cape Cod, and their descendants, who are residents of Boston and its vicinity, may become members on signing the constitution and conforming to its by-laws." At the first election, the following officers were chosen: President, David Sears; Vice-Presidents, William Sturgis, Lemuel Shaw, Daniel C. Bacon, Benj'n Bangs, Prince Hawes, Benj'n Burgess, Benj. F. Hallett, Joshua Sears, Francis Bassett, Robert Bacon, Thomas Thacher, S. K. Lothrop, and John G. Palfrey; Treasurer, Isaac Thacher; Cor. Sec., H. A. Scudder; Rec. Sec., Wm. S. Thacher. — See Appendix I.

crease of capital, are items, to say nothing of various other indications, that betoken prosperity.

In 1852, action was again had in the legislature for the preservation of Cape Cod harbor, and in response of the call Congress appropriated \$5000 for the purpose — a miserable pittance so totally inadequate that the subject must needs be before the legislature the next year, when a commission was appointed at the head of which was Hon. Francis Brinley, to examine Cape Cod harbor and report. An act was passed, now as at various times, authorizing the construction of wharves by enterprising inhabitants of Provincetown;¹ also an act incorporating the "Union Marine-railway Company" of the same place. Acts were also passed incorporating the Flax-pond Fishing Company of Dennis, for the purpose of opening an outlet from Sursuit Creek for the alewife fishery; for the protection of the fisheries in Barnstable and Mashpee, that is Osterville Harbor and Popponeeset Bay; and for incorporating the 2d Methodist church in Harwich.

In 1853, FRANKLIN PIERCE became President of the United States; and JOHN H. CLIFFORD Governor of Massachusetts. — Among the events of local interest that may or might be noted, are the increase of the capital of the Boston and Sandwich Glass Company by \$200,000; the increase again of the stock of the Barn-

¹ The acts authorizing the construction and maintaining of wharves in most of the towns have, for some years, been so numerous that we have ceased to be careful to note them. For a time such acts, with those establishing various enterprises, helped to show the symptoms of progress. To continue to refer to them, would needlessly consume the space we must reserve for other purposes.

stable Bank; the incorporation of Insurance, Ice, and Machine Companies; the cession to the United States of certain rights in Provincetown and Truro for the preservation of the harbor of Cape Cod, and in Falmouth for a sea-wall to improve the harbor of Wood's Hole; &c. &c. &c.

In 1854, EMORY WASHBURN being governor, the legislative committee appointed for the purpose, made a full and able report touching the right of the Commonwealth to the Province lands, and the best means of providing for the preservation of Cape Cod harbor; suggesting the great value of the locality in a commercial point of view, and the joint duty and action of the town, the State, and the General Government respecting it; recommending that a bridge be erected by the town from the extreme end of Beach Point to the opposite shore near Deep Hole; that amendments to existing laws be made by the State and the laws rigidly enforced; and that "the General Government dispense its means with a liberal hand for the preservation of one of the most important harbors in the United States."

The "Cape Cod Association in Boston" celebrated their third anniversary, at Yarmouth Port, Wednesday, Aug. 2. The occasion was one of much enjoyment both to the members of the association and the inhabitants of the Cape whose guests they became.¹ — Shadrach Freeman Esq., a prominent citizen of Sandwich, died this year, June 13, æ. 84.

The Provincetown Bank was incorporated, March 28, capital \$100,000; also the East Sandwich Diking Company — to construct a dike across Scorton Creek, &c.;

¹ See Appendix J.

the Cape Cod Branch Railroad was permitted to assume the title of "The Cape Cod Railroad Company," with an increase of stock by \$60,000; the Provincetown Gas-light Company was incorporated; the county commissioners were authorized to construct a bridge over East Harbor in Truro and Provincetown; and an act was passed for the protection of cranberry vines on the Province lands.¹

¹ The culture of cranberries has become an object of much interest on the Cape in every town. Every possible patch of land — or rather swamp, most fit for the culture is being held at greatly advanced prices, and much of it is already in requisition for cranberry plats. It is alleged that according to the yield of the last year, (1859,) each acre under this culture is worth \$10,000. This may be an exaggerated estimate; but according to statistics carefully prepared, the harvest has become very considerable. The Provincetown Banner reports the product of that town the last year, 331 barrels, producing \$4320. Mr. Obed Brooks of Harwich, has furnished a statistical table showing that 831 barrels were raised in Dennis, valued at \$9637; in Harwich, 856½, at \$10,145; in Brewster, 322½, at \$3848; making in the aggregate, including Provincetown, 2321 barrels, worth \$27,950. But this includes only four out of thirteen towns. In Barnstable, Falmouth, and indeed every other place the culture is being undertaken in right earnest, and in some places on a large scale. From the Atlantic Messenger we gather suggestions that "the culture of the fruit to any very large extent is a new thing in the county, but that there is no danger of the business being overdone. The demand is great and constantly increasing. The Cape Cod cranberries are pronounced, by general consent, of superior quality, commanding a premium in the markets wherever known. For the cultivation of this delicious fruit, the Cape possesses facilities nowhere else found to the same extent. The expense of preparing the land for culture is very inconsiderable; and the tracts easily susceptible of being brought into cranberries and best adapted to the culture, have been hitherto comparatively valueless for other purposes." A valuable work written a few years since on the Culture of the Cranberry, by the Rev. Mr. Eastwood of North Dennis, has doubtless done much to awaken and increase an interest on this subject.

In 1855, HENRY J. GARDNER was elected Governor of Massachusetts, and remained in office three years. — The Bank of Cape Cod, at Harwich, was incorporated, May 21, capital \$100,000; the Equitable Marine Insurance Company of Provincetown; the Cape Cod Savings Bank at Harwich; the Great Pond Canal Company of Eastham; the Nantucket and Cape Cod Steamboat Company — for the purpose of running steamers and sailing-vessels, for the convenience of the public travel and the transportation of merchandise between Hyannis and Nantucket, &c.; and the Cape Cod Telegraph Company — for the purpose of constructing and maintaining a line of telegraph from Boston to Provincetown with branch lines to Holmes' Hole, Nantucket, Fall River, and New Bedford. In competition with this was incorporated the following year the Boston and Cape Cod Marine Telegraph Company — for maintaining a line of magnetic telegraph from Boston along the line of the Old Colony, Fall River, and Cape Cod Railroads, and thence to Chatham and Provincetown, &c. — Land was also ceded to the United States for a custom house at Barnstable.

In 1856, commissioners were appointed under the act of legislature May 16, "to ascertain and report on the artificial propagation of fish," — with a view to the ascertaining of facts to guide future legislation on the subject. Capt. N. E. Atwood of Provincetown, who through life had been a practical fisherman, and had also become learned as an ichthyologist, was, by his association on the commission, intrusted by his associates especially with the duty of making observations and experiments. The result was the conclusion that the artificial propagation of fish is not only practicable,

but that pisciculture may be very profitable, and fresh-water streams and ponds innumerable may be made to produce a vastly increased amount of food — especially by individual enterprise encouraged by suitable legislative protection. Important suggestions were also made touching the prohibition of the taking and bringing to market certain fish — particularly the salmon and trout — during their spawning season. The learned report of the commissioners suggests that the fisheries have been inappropriately called “the agriculture of the waters,” whereas the “harvesting” should be the term.¹ The report, we trust, may be but the inauguration of a new era in political economy; and we will venture to add, for the honor of the Cape, that it may at least be doubted whether as a *practical* ichthyologist Mr. Atwood has his superior in America.²

¹ When it is considered that a single pike has been found to produce in a single season 272,160 eggs; the mackerel 546,680; the flounder 1,357,000; the sturgeon 7,635,200; the codfish 9,344,000; the turbot 9,000,000; the mullet 13,000,000, and other fishes in large proportion, it would seem that the supply must be inexhaustible. There are, however, numerous causes in operation always tending to the depopulation of our fresh waters especially. The expediency of taking repressive measures against the destruction of spawn, has been forcibly demonstrated; as also the losses in the piscatory department by the encroachments of manufacturing industry, steamboats, &c. Questions hence arise of great importance in political economy. But more than this, — “regular sowing or planting” (we use the significant terms of the commission above referred to) may make waters hitherto unproductive, not only prolific but to yield choice varieties of fish, whilst the waters shall become purer and healthier by their employment.

² We venture saying thus much, though it becomes history to be chary in speaking of the living. We are sure that Mr. Atwood’s attainments deserve higher appreciation by the public.

Obed Brooks Esq. of Harwich, died this year, Aug. 4.¹ — An act was passed for the preservation of fish in

¹ OBED BROOKS Esq. was a prominent citizen of Harwich, and of the 4th generation from Beriah Broadbrooks who was early in Harwich, and who m. Abigail dr. of Joseph and Martha Severance of Yarmouth, Sept. 11, 1676. [Mrs. Severance was dr. of Peter Warden Jr. the son of Peter who came with his family from Clayton, Lancaster Co. Eng.] Mr. BERIAH BROADBROOKS had Beriah Jr.; Joseph who removed to Danbury, Ct. before 1650; John; William who removed to Ct.; Ebenr. 1717; Martha; and Maria. — EBENEZER who d. April 20, 1802, m. Lydia, dr. of Jona. and Damaris Small. She was b. Aug. 6, 1725, and d. March 3, 1802. Issue: Lydia who m. Nathl. Robbins; Ebenezer Dec. 19, 1750; Hannah who m. Daniel Chase; Eleanor who m. Benj. Hall; Nathan who m. Mercey Myrick; and Sylvia who m. Nehemiah Nickerson. — EBENEZER Esq., a man of more than ordinary business capacity and much consulted in business affairs, a large landholder, just. pac. from 1784 to 1828, some time rep., postmaster 1803 to 1821, and d. Feb. 4, 1828, m. Tamazin dr. of Seth Hall Feb. 2, 1775. She was b. March 9, 1757, and d. Jan. 1, 1828. Issue: Naomi Jan. 19, 1777, who m. Calvin Gifford; Ruth March 5, 1779, who m. John Hall; Obed Jan. 27, 1781; Roxana Nov. 28, 1782, who m. Eben. Weeks; Asenath Oct. 27, 1785, who m. Levi Snow; Tamazin June 1, 1789, who d. æ. 18; Lucy July 1, 1791, who m. Enoch E. Harding; Ebenezer May 26, 1793; Seth Sept. 21, 1796, who d. æ. 27; and Sabra Feb. 1, 1799. The name, for brevity's sake, was changed by legislative enactment, by discontinuance of the first syllable, and has since been written BROOKS. — OBED Esq., b. 1781, d. Aug. 4, 1856, was, like his father, a man of much business talent, holding various public offices; selectman 14 yrs., town clerk and treas. 26 yrs., postmaster 35 yrs., just. pac. 36 yrs., county commissioner 3 terms, besides being some time capt. of militia, inspector of the port of H., &c. He m. Sally G., dr. of Ebenr. Weekes May 10, 1807. She was b. March 20, 1784, and d. Dec. 21, 1836. Issue: Sidney who d. 1809; Obed the present cashier of the Bk. of C. Cod; Roxana who m. Stephen G. Davis; Sidney; a dr. who d. inf.; Harriet N.; Tamazin and a son, gem., the latter of whom d. inf.; Henry C., of Boston; and Sarah G. — For the lithograph that appears herewith, we owe grateful acknowledgments to Major Henry C. Brooks, the younger son.



L. Crozier lith. Boston.

*Respectfully,
Oliver Brooks*

Born, Jan^y 27th 1781. — Died, Aug. 4th 1856.

Buzzard's Bay ; prohibiting the setting, stretching, or drawing of any seine or net for the purpose of taking any fish except the blue-fish, in the bays, harbors, ponds, rivers, or creeks of its waters within one mile of the shore between the towns of Sandwich and Wareham ; also limiting the quantity of lobsters, scuppaug, tautog, bass, &c. taken by any one person between the commencement of the month of April and the close of the month of July each year. Acts were also passed to protect the fisheries on the south shore and bays of Barnstable and Mashpee between Succanesset Point and Point Gammon, between the first of April and the first of November each year ; and to protect the fishery in Pleasant Bay in Orleans.

Further acts provided for the construction by Truro and Provincetown of a bridge over East Harbor ; the building by selectmen of Wellfleet of a bridge across the north-east arm of Duck Creek ; the erection of a bridge across Boat Meadow River in Eastham ; also defined the qualifications for voters in Mashpee ; appropriated \$350, in addition to \$500 granted the previous year, for repairing the meeting house of the Mashpees ; granted \$200 additional for school houses ; and, from the school fund, \$60 annually to aid in support of the school among the Herring Pond Indians.¹

"The New York Cape Cod Association" was organized April 21.²

¹ The apportionment and assessment of the tax on the State this year was \$599,982 ; the proportion for Barnstable County, \$10,266, stood as follows :—

Barnstable, \$1692	Dennis, \$924	Truro, \$474	Eastham, \$228
Sandwich, 1476	Yarmo., 828	Wellfleet, 426	_____
Provinceto'n, 1116	Harwich, 678	Orleans, 408	\$10,266
Falmouth, 1026	Chatham, 594	Brewster, 396	

² The object of the association is similar to that of the Boston asso-

In 1857, JAMES BUCHANAN was inaugurated President of the United States. — Since the foundation of the government, political parties have always been in a transition state more or less — often changing, assuming new phases, proposing new issues, exhibiting new divisions and subdivisions.¹

An appropriation of \$900 having been made by the legislature to aid in the erection of a meeting house for the Herring Pond Indians, the building was completed and dedicated with appropriate services in September. — Propositions having been made in both branches of Congress to repeal the existing law granting bounties to crews and vessels engaged in the cod fisheries, an earnest protest was made by the State legislature “against disturbing the present system proved by so many years of trial to be fraught” with good results.² — Differences of opinion which have come to be denominated by politicians “the irrepressible conflict,”

ciation, and is concisely expressed in its constitution as “for social and charitable purposes.” At the first election the officers chosen were: President, Eben B. Crocker; Vice-Presidents, J. Foster Jenkins, James W. Nye, H. S. Crocker, Jacob G. Hallett, Elisha Crowell, Horatio Underwood, Seth Crosby, S. W. Lewis, Amos Howes, E. K. Collins, Joshua Atkins, James A. Smith, and James M. Holmes; Secretary, R. Crocker Bodfish; Treasurer, Zenas D. Bassett Jr. — See Appendix K.

¹ The proportion of State tax this year to be assessed, was as follows: —

Barnstable, \$2538	Dennis, \$1386	Truro, \$711	Eastham, \$342
Sandwich, 2214	Yarm., 1242	Wellfleet, 639	—————
Provinceto'n, 1674	Harwich, 1017	Orleans, 612	\$15,399
Falmouth, 1539	Chatham, 891	Brewster, 594	

² The opinion of the legislature, as expressed, was “that the repeal would injuriously affect the best interests of commerce, and greatly impair the national strength in a point most vital to its honor and influence among the maritime nations.”

having given rise to a question in which citizens of this county were interested, an appropriation was made by the legislature, Feb. 5, to enable a complainant belonging to Yarmouth to test before the Supreme Court of the United States, the constitutionality of an act of the legislature of one of the Southern States. — An act provided for ceding jurisdiction over certain lands on Billingsgate Island for lighthouse purposes. — The Rev. Henry Lincoln, for a long time minister of Falmouth, died this year, æ. 91.¹ — By the bequest of Joshua Sears in February, the town of Yarmouth became invested with \$15,000 for the establishment of a nautical school. — Capt. John Collins,² whose name must

¹ The Rev. HENRY LINCOLN was born Nov. 3, 1765; grad. H. C. 1786; ord. Feb. 3, 1790. He was son of William and Mary (Otis) Lincoln of Hingham, and m. Susanna dr. of Timothy Crocker of Falmouth, April 26, 1790. She died July 29, 1817, æ. 51. They had 4 sons and 3 drs. The sons were Henry, John, William, and — who d. æ. 5 yrs. 7 mo.; the drs., Susan who m. Mitchell, Mary Ann who m. Fearing, and —. Mr. L. died at Nantucket, at the residence of his son-in-law, Dr. Elisha P. Fearing, May 28; and was at the time of his decease the eldest clergyman in Massachusetts with one exception, viz. Rev. Jacob Norton of Billerica. He was a popular preacher in his active days, a gentleman of the old school, of fine person, remarkably neat in his attire, affable, social, a sincere Christian.

² Capt. JOHN COLLINS was born in Truro 1794. In early life he enjoyed only the advantages of a common-school education in his native town; and at the age of fifteen entered on that life peculiar to Cape Cod men so generally, and pregnant with so much of both usefulness and danger; baffling the sea first before the mast where, it is said, "the finished seaman always begins." During the war of 1812 he was engaged with others some time in running open boats from Truro, Wellfleet and Provincetown to Boston and vicinity for the conveyance of merchandise — a kind of navigation by which only the British cruisers so numerous in the Bay could be evaded. These cruisers used untiring efforts to break up these communications successfully made by the enterprising spirits of these localities. Seeking

ever be intimately associated with the establishment of regular lines of steamers between this country and Europe, and in whom were concentrated those striking characteristics so often distinguishing the genuine sons of Cape Cod, died at New York, Nov. 21, æ. 63.

a more extended and elevated field of action, although not so arduous, Mr. Collins and other young men soon determined to try the fortunes of war on board of privateers. Putting forth with ardor and a resolve to signalize their new vocation by captures, after good success and in high spirits Mr. Collins and his associates gave chase to what they supposed to be a British merchant vessel, when, ranging alongside, they too late discovered her to be an English sloop-of-war, and were captured after a running fight of an hour, and carried to England. Returning at the close of the war, Mr. C. entered the merchant service, and soon became commander of a vessel sailing between New York and the republic of Mexico. In this capacity he continued many years. Succeeding this, he engaged in the trade between New York and New Orleans, commanding the *Shakspeare*. When the enterprise of establishing the "Dramatic Line" in the Liverpool trade was undertaken, he was an associate, and took command of the *Roscius*. Memorials exist in the shape of silver plate and gold medals, of his gallantry and skill in rescuing from danger and death wrecked mariners, presented by the Liverpool and London humane societies, by the British government, and by his own countrymen. The schooner *Garnet* of Truro, the bark *Scotia* of England, and the *Erin go Bragh*, are instances of his humane and noble daring in rescuing from a watery grave his fellow-men in the hour of peril. His coolness, perseverance, and intrepidity were always noted. Nor was it in his toils upon the sea alone that he was distinguished; some of the finest packet ships sailing from New York were constructed under his supervision; and, having won his way from the humblest to the highest rank in the mercantile marine, and finally relinquished command — as do many to become merchant princes alike honorable and honored, during his commercial pursuits in New York, his experience, energy, and influence were felt in the establishment of the Collins line of steamers. To his near kinsman, also of Truro origin, Edward K. Collins Esq., great credit is due; but not to him alone. Capt. John Collins' zeal and efficiency in the work are acknowledged by all conversant with the affairs of an enterprise that excited the admi-



SAVEDY, MAJOR & KIRKP LITH. 445 BROADWAY, NEW YORK.

yours Truly
J. Coleman



The Monnamoiet Insurance Co. of Chatham was incorporated, and the capital of the Cape Cod Bank at Harwich was increased by fifty thousand dollars.¹

In 1858, NATHANIEL P. BANKS was Governor of Massachusetts.—The act of the previous year apportioning representatives to the several counties, and dividing the state into forty districts for the choice of senators, has introduced a new era in the exercise of the elective franchise. A town *may* no longer be represented by one of its own citizens; the county must share in part the privilege of representation with a portion of some other county or counties.

In 1859, a revision of the Laws of the Commonwealth was effected. The result remains to be seen. Abundant, if not superabundant legislation, is characteristic of the day; and legislation is, to say the least, sufficiently changeful.—Another large establishment at Sandwich for the manufacture of glass was completed

ration of the world. He was a gentleman of fine presence, noble heart, unbending integrity, and in every relation in life secured esteem. Mr. C. was a member of the C. C. Assoc. of N. Y., and from the doings of that body on occasion of his death, we collate this biographical notice. To his son, N. B. Collins Esq. of N. Y., merchant, and president of the N. Y. C. C. A., we are indebted for the fine engraving on the opposite page.

¹ By the "Bank Report," as condensed and submitted to the legislature Feb. 27, of this year, the following exhibit of the state of the banks in the county at the time appeared:—

	Capital.	Loans & discount.	Specie in B'nk.	Due f'm other Banks.	Due to other Banks.	Deposits.	Circulation.
Barnstable Bk., at Yarmouth,	\$350,000	\$543,898	\$14,066	\$52,127	.....	\$24,950	\$178,290
Falmouth Bk., at Falmouth,	100,000	127,876	3,541	26,232	.....	10,529	35,520
Cape Cod Bk., at Harwich,	150,000	269,155	8,545	26,425	.....	7,684	139,406
Provincetown Bk., at Provin'n,	100,000	150,717	7,006	76,943	.....	38,859	91,754

this year, and went into successful operation; to be known by the name of "The Cape Cod Glass Factory."¹

That, at the opening of the legislature in 1860, the project of a ship canal uniting the waters of Barnstable Bay with Buzzard's Bay should be revived by the suggestion of the Governor, encourages the hope that a plan so feasible and important may yet receive more of public attention. It is surprising that the subject has been permitted so long to rest, whilst enterprises less useful, more expensive, and less remunerative than a properly constructed canal through the isthmus of Cape Cod would be, have engrossed much of the public mind, and called for expenditures of the public funds and investments of capitalists. In time of war, the advantage of such communication would be incalculable; at all times the facilities afforded for domestic trade by avoiding the perilous navigation around the Cape, would surpass in value any advantages to be derived from tunnelling mountains.²

¹ This establishment was reared by Deming Jarves Esq., the intelligent and enterprising projector of the B. & S. Glass Co., and its superintendent until the last year. The C. C. G. Factory, a first class ten-pot furnace, with modern improvements; the cutting works operated by a calorific engine; with ample accommodations in separate buildings for the machine work, the pot and clay department, storage, &c., stands forth a worthy, but not unfriendly, rival of the older establishment, and strengthens the claim of Cape Cod for distinction in this branch of manufacture.

² Gov. Banks shows in his message that the *distance* alone to be saved is great: "The distance from Saughkonnet Point, outside of Nantucket Shoals and Cape Cod to Boston Light, is 198 nautical miles; the distance across the Cape at Sandwich to the river mouth is six nautical miles."

We have thus finished our view of Cape Cod in its primitive condition, its early settlement and connection with the Old Colony towns, its existence as a county, and its association with the Province of Massachusetts Bay and the Commonwealth of Massachusetts; following the order of events generally, with some not unimportant exceptions, which must be noticed in succeeding pages. The Indian plantation of Mashpee can hardly with propriety be numbered among the towns; but it is an interesting feature in the geography of the Cape, and, standing as it does, in connection with the plantation at Herring Pond, the only home for the Indian in all his once wide domain within the borders of the two colonies of Plymouth and Massachusetts Bay, furnishes an important part of Cape Cod history. We shall, therefore, before proceeding further, make the District of Mashpee the subject of a distinct chapter.

CHAPTER XXVIII.

Mashpee, its Situation and Extent. — Natural Divisions. — Missionary Ground. — Lands secured. — Church constituted. — Succession of Ministers. — Adaptation for Plantation. — Character of the People. — Laws extended over them. — Good Soldiers. — An amusing Letter. — Discontents. — Efforts to secure Freedom. — Rights of Self-Government. — Improvement. — Review.

MASHPEE¹ lies on the ocean, twelve miles south-west from the court-house in Barnstable;² and is bounded north by Sandwich, east and south-east by Barnstable,

¹ The above name sometime in use, is at the present day written *Marshpee*; but with what propriety we are unable to discover. In olden times it was more generally written *Massapee*, in some instances *Mashpoag*, and once at least *Maktepos*. That Indian names should be variously spelled in the early records, was the natural consequence of their being imperfectly apprehended by the ear, such was their *nasal* pronunciation as they fell from the lips of the natives. That Mashpee should supersede the euphony of Massapee, which Mr. Alden pronounces “an intelligible etymology,” or even Mashpoag, were undesirable, and Marshpee is inexcusable. We have hitherto preferred the term more nearly expressive of that which we think should have been continued the true appellation; and we have done so not simply because we have no sympathy with the corruptions of names, but because *Marshpee* conveys historically and topographically a false impression — as if the Indian Plantation were a moor or fen — low and watery; whereas it is not even a champaign tract of country. We shall, however, in our next volume, succumb to the dictum of a progressive age, and use the term as the ordinances and literature of the day *will* have it.

² It is distant from the town hall in Sandwich 11 m.; and is 65 m. S. E. of Boston.

south by the Vineyard Sound, and west by Sandwich and Falmouth. Its length, north and south, is about eight and a half miles, and its breadth, east and west, about four miles. It contained originally 13,500 acres; but, having been at different times shorn of its former dimensions, it now embraces about 10,500 acres, or sixteen square miles.

Mashpee is south of a chain of hills extending from east to west, along the north of the county, and is in general good land for the Cape. Much of it is covered with valuable wood. This woodland uniting with similar tracts in Sandwich and Falmouth, forms an extensive forest, in which deer and other game abound. The amount of cleared land in 1802, was about twelve hundred acres. Changes, however, as we have suggested, have lessened the original territory: a large tract on Waquoit Bay was alienated from the Indians, about the year 1700, and now belongs to Falmouth. Another tract west of Wakepee, was alienated to Sandwich; and yet another tract, at Coatuit, to Barnstable. The original plantation was about twenty-two square miles.

In Mashpee, are two harbors: Popponesset Bay, which is the eastern boundary of the plantation; and Waquoit Bay, the western boundary. These have bars at their entrance which are variable, often shifting their locality. Upon these bars, the tide rises from four to six feet.

Coatuit River, or Brook, divides the plantation from Barnstable, and empties into Popponesset Bay; and rises in Sanctuit Lake, or Pond, which is one and three quarters miles long.

Mashpee River is two miles west of the preceding, and runs into the same bay, a distance of four miles.

It has its rise in Mashpee Pond, a beautiful lake two and a half miles long, and divided into two parts by Canaumet Neck. The northern part of this lake is called Wakepee.

Quashnet River runs into Waquoit Bay, from John's Pond.¹

In Popponesset Bay, is an island called by the same name, containing forty acres of excellent land. In Waquoit Bay are two islands. Between the two bays, is Great Neck, a favorite resort of the Indians.²

Besides the ponds above named, is Ashimuet, on the Falmouth line;³ and there are two or three others that are of inconsiderable size. Peter's Pond, on the Sandwich line, is north of Wakepee, the greater part of it being in Sandwich.

The rivers in Mashpee are among the largest in the county, as are also the lakes.

The best lands in Mashpee are near John's, Mashpee, and Sanctuit Lakes. Some extent of salt marsh is found near the bays.

The road leading from Sandwich to Falmouth is, for about four miles, the boundary west of Mashpee; that from Barnstable to Falmouth passes through Mashpee; and that from Coatuit to Sandwich, between Mashpee and Sanctuit Lakes.

¹ This river is at certain seasons too inconsiderable to render any outlet visible.

² *Weesquobs* is supposed by some to have been the Indian name for Great Neck and parts contiguous. It was a place famous for eels; and the Indians were in the habit of fishing for these in the adjoining waters, in canoes, by torchlight. This they called *wees-quashing*. But the conjecture is doubtful. Again, it has been supposed that *Weesquobs* was the original name corrupted to *Wakepee*.

³ The tract around this lake is now called *Shumet*.

At an early period, Mr. RICHARD BOURNE¹ of Sandwich, who was among the English emigrants that settled in that town, turned his attention, with untiring effort, to the work of evangelizing the Mashpee Indians. The first account we have of his labors in Mashpee bears date 1658, when he was present and assisting in the settlement of a boundary between the Indians and proprietors of Barnstable. It is said to have been through his efforts, and at considerable expense to himself, that the patent for the South Sea Indians, as they are styled in the deeds of that day, was obtained.²

Mr. Bourne obtained a deed of the territory, from QUACHATISSET and others of these South Sea Indians, after the year 1660; considering it vain to undertake the propagation of Christianity among any people

¹ Mr. BOURNE, who was in Scit. 1630, and in Sandwich 1637, was twice m.; his 1st was a Hallett, 2d Ruth Winslow, who d. July 2, 1677. His sons were Job, Shearjashub, Elisha, and Ezra. From the first three descended a numerous posterity; the youngest, Ezra, b. May 12, 1648, of whom we can give no further account, prob. d. young without issue, but the name has been perpetuated in successive generations.

² Mr. Bourne was not only a man of much note as one of the most useful and active of the citizens of Sandwich; but also, subsequently, as an indefatigable and devoted missionary. Being possessed of large property, brought by him in cash from England at his first coming over, he was enabled to make valuable investments in lands that secured to his children a rich inheritance. In all his transactions, he proved himself a man of excellent judgment, and was so regarded by all persons. He was also esteemed a sincere Christian, possessed of a more than ordinary share of "a most excellent spirit." It is said that the example and influence of Mr. Eliot were suggestive of the work in which he finally engaged with so much zeal. Determined on this line of duty, he devoted himself to the task of acquiring a thorough knowledge of the Indian language.

without a home where they might remain upon their own soil; a view of the case which time and experience have abundantly justified. Nor was he content to have only Indian deeds duly authenticated; he aimed at greater security, which, however, was not effected until after his decease. The laws, from 1650, had provided that no Indian should sell, or white man buy of an Indian, any land without license first obtained from the General Court, or Court of Assistants. In 1665, this provision was also extended to grants for a term of years. And yet the General Court had ordered, in 1650, "that if upon good experience there shall be a competent number of Indians brought on to civility, so as to be capable of a *township*, upon their request to the General Court, they shall have grants of lands for a plantation as the English have."

Mr. Bourne having obtained the Indian deeds as above, was intent on his benevolent work; and, Aug. 17, 1670, was ordained pastor of an Indian church, gathered from among his own disciples and converts. The ordination services were performed by the famous Mr. Eliot and other ministers assisting, one of whom was Mr. Cotton.¹ The organization of the church was confirmed at the same time.²

Mr. ELIOT says he "went down to the Indians at *Maktepos*, where Mr. Richard Bourne, a godly man, was, Aug. 17, 1670, ordained pastor of an Indian church gathered upon that same day; and the Indians and such of their children as were present, were baptized."

² Mr. COTTON, the Plymouth pastor, who was present as above, says, "The church at *Mashpaug*," (so undetermined in those days was the orthography of names,) "was gathered, and Mr. Bourne ordained. Hands were imposed by Mr. Eliot, myself, also by a messenger from the Natick church, and one of the Vineyard. Maj. Winslow, now our Gov'r, Mr. Southworth, Mr. Hinckley, and Mr. Bacon, magis-

Mr. Shearjashub Bourne, son of Mr. Richard Bourne, procured, after his father's decease,¹ a ratification by the court at Plymouth, of the deeds obtained by this noble missionary from the Indians, and an entailment

trates, were present; also Mr. Walley, Mr. Arnold, Mr. Shove, Mr. Thornton, Mr. Homes, and Mr. Newman, with brethren from all our churches." That a church was not constituted at an earlier period, was doubtless owing to the extreme caution necessary in those days to propitiate the powers that were. We are informed that in 1666 Mr. Bourne's labors among the Indians had attracted the notice of the public very generally, and, in July, Gov. Prince, Mr. Thomas Southworth, one of the magistrates, Mr. John Elliott Sen'r, Mr. John Elliott Jr., Mr. Samuel Arnold, Mr. John Holmes, Mr. William Brimsmead, and Mr. Thomas Cushman, went to Sandwich for the especial purpose of an interview with Mr. Bourne, "who had been instructing the Indians in that vicinity in the Christian faith; and to make inquiry into the progress they had made in knowledge and virtue." "At their motion, a large assembly was convened at Maship-paug, (Mashpee,) and at this meeting a good number of the Indians whom Mr. Bourne had been instructing, were examined. They gave such an account of their knowledge and belief, and of the impression the gospel had made on their hearts; and gave their relations with such affection, as was extremely grateful to the pious auditory. The magistrates and ministers convened on the occasion, received much satisfaction in what they observed and heard: yet such was the strictness of those who conducted the business of the meeting, that before they would countenance the advancement of these Indians to church-fellowship, they concluded that their confessions should be written, and a copy sent to each church in the colony for their inspection, and *approbation* if they saw fit; so that if no objections should be offered, they might at a suitable time be permitted and encouraged to enter into church-fellowship. The confessions and relations were very agreeable to the churches to which they were communicated. Afterwards, the messengers of all the churches being present and giving their consent, these Indians were formed into a church, and chose Mr. Bourne to be their Pastor."

¹ Rev. RICHARD BOURNE "died at Sandwich about 1685, and was buried on his own land, near to his own house, on the left hand of Dock Lane, in Sandwich, which leads to the harbor, near to where

of the lands to these South Sea Indians and their children forever, "so that no part or parcel of these lands might be bought by, or sold to, any white person or persons, without the consent of ALL *the said Indians*, not even with the consent of the General Court."¹

The successor to Mr. Richard Bourne was SIMON POPMONET, an Indian. He died after a ministry of forty years, about the time that his successor was ordained ;

stood the house of John Smith," in the vicinity of the present glass manufacturing establishment. In breaking the ground for erecting buildings for the accommodation of the operatives of the Glass Factory at its commencement, the cellar of Mr. Bourne's house was discovered in good preservation, being made of stone and English brick firmly cemented, and was used as the cellar for a new building erected over it. It is also said that bones were exhumed near this spot ; but these reminiscences in regard to Mr. Bourne's residence and place of burial were then unknown to any of the inhabitants. The probability is that others were buried here besides Mr. Bourne.

¹ The Indians of Mashpee and parts contiguous have been presented by some writers under the name of "the *Saukatucketts* ;" and these, with "the *Nausites* of Eastham, the *Mattachees* of Barnstable and Yarmouth, the *Monomoys* of Chatham, and the *Nobsquussetts* of Yarmouth," or North Dennis, are said to have been "all subordinate to MASSASOIT," and as such owing *fealty* to King Philip, alias Metacomet, at the time of his war of 1675-6. But there was no disposition evinced by them to respond to the great Sachem's call by any overt acts of hostility towards the English settlers. Indeed, great numbers of those Indians in other parts of the Old Colony, who had submitted to the English, were sent by the Commissioners, much to the annoyance of the settlers in the towns joining upon Mashpee, to this plantation for safe keeping. Thus brought in contact with these exiled ones, and compelled to listen to their complaints, it was much apprehended that difficulties would arise on the part of the Cape Cod Indians, whose sympathies with their suffering race could not be otherwise than deeply moved. Nothing, however, of a disastrous nature occurred. Much vigilance was deemed necessary lest there should be an outbreak, and not a little anxiety was felt.

and left several children, all of whom lived to a great age, and were respectable.¹

Next succeeded the Rev. JOSEPH BOURNE, who was ordained Nov. 26, 1729. He "was a good man," and well educated; the son of the Chief Justice of the Court of Common Pleas for the county; the grandson of Shearjashub Bourne Esq., who had been so disposed to promote the designs of his father, watching over the interests of the Indians;² and the great grandson of

¹ The last of Simon's children died in 1770.

² SHEARJASHUB BOURNE Esq. carried on a lucrative trade with the Indians; but in all transactions was noted for integrity. He had great influence with the Mashpees, and was highly respected in every community. He d. in Sandwich, Mar. 7, 1719, æ. 75. Mr. B. was a Rep. in Gen. Ct. from the town of S., as will be seen by reference to another portion of our History. He was b. in S. 1644, s. of Mr. Richard; m. Bathsheba, [dr. of Gov. Hinckley—so we understand it, although some have it dr. of Mr. James Skiff. Perhaps both traditions are correct, as in the issue names favor the supposition,] and had Melatiah Jan. 12, 1673; Ezra Aug. 6, 1676; Mary Oct. 21, 1678, who m. Allen; Sarah Feb. 6, 1680, not mentioned in her father's will; Remember, Feb. 6, 1680, who was 2d w. of Rev. Experience Mayhew Dec. 4, 1711, whose 1st w. was a dr. of Gov. H.; and Patience Ap. 20, 1686, who m. Allen.—The eldest son of the above, Col. MELATIAH of S. b. 1673, m. 1st Desire Chipman, Feb. 23, 1693, who d. Mar. 28, 1705, and 2d wid. Abigail Smith, who d. Nov. 24, 1742. He had by 1st m., Sylvanus, Ap. 10, 1694; Richard, Aug. 13, 1695, who served as capt. in the army in Canada, and d. 1738, without issue; Samuel and Sarah, gemini, Feb. 7, 1697, both of whom d. early; John, Mar. 10, 1698; Shearjashub, Dec. 21, 1699; Silas, Dec. 10, 1701; and Bathsheba, Nov. 4, 1703, who m. 1st Newcomb, 2d Ruggles. Col. B. d. Nov. 24, 1742, æ. 69. The other s. of Shearj. Esq., Hon. EZRA, b. 1676, m. Martha, dr. of Mr. Samuel Prince, Dec. 27, 1698, who d. Dec. 27, 1752. "He succeeded his father in the superintendence of the Mashpee Indians," was ap. Judge of the C. P. and subsequently Chf. Just. and d. Sept. 1764, æ. 88, in M. where his w. d. Dec. 27, 1752. They had Sarah Jan. 7, 1700, who d. July 11; Joseph, May 10, 1701, who grad. H. C.

the first pastor. Although Mr. Bourne was led to resign his mission in 1742, "complaining much of the ill-treatment which the Indians received, and of the neglect of the commissioners with regard to his support," he still took an interest in the Indian's cause, and much encouraged and assisted the next white missionary, Rev. Mr. Hawley.¹

On the resignation of Mr. Bourne, SOLOMON BRIANT, an Indian, was ordained pastor of the Mashpee church; and, although much opposition was made to his settlement, by gentlemen in the county, he continued his ministry among his red brethren until the year 1758.²

1722, the missionary, who d. 1767, leaving a wid. Hannah, but no issue; Mary, who m. Rev. John Angier Nov. 23, 1732; Samuel; Ezra; Shearjashub; and Martha, who m. Benj. Le Homedian June 4, 1731. This family furnished many of note and influence. — Passing by, for the present, other branches of the descendants of Mr. Richard Bourne, we may note that Hon. SILAS, b. 1701, s. of Col. Melatiah of S. m. Mary Allen, Feb. 8, 1730, and had James, Feb. 21, 1731; Melatiah Nov. 11, 1734; Silas, Feb. 20, 1737; and Mary, 1739. — JAMES, b. 1731, m. Mary Nye, Feb. 18, 1753, and had Benj. Mar. 2, 1753; Hannah, 1755, who m. Thacher; Allen, Aug. 24, 1759; Mary, 1762; James Jr. Aug. 15, 1765; Temperance, 1769; and Sarah, 1771. — MELATIAH, Esq. b. 1734, m. Mary Howes, and had Hannah, Aug. 1, 1767, who m. Zenas Crocker Esq. of Be. Sept. 23, 1790; Eunice, 1770; Mary, 1772; and Melatiah Jr. Jan. 14, 1778, the highly respectable representative of his distinguished line of ancestry, surviving in Sandwich. — SILAS Esq. b. 1737, was a prominent citizen of S. and m. 1st Abigail Bourne June 23, 1762, 2d Fear dr. of Capt. Joseph Parker, and had Abigail, Feb. 22, 1763; Silas, Nov. 9, 1773, who d. early; Silas, May 31, 1777, who d. in Boston Ap. 28, 1803, æ. 26; and Ezra Allen, Aug. 31, 1779, now occupying a position of high respectability as a citizen of Boston.

¹ Rev. JOSEPH BOURNE, d. 1767, æ. 66, greatly lamented. His will mentions his wife Hannah and nephew Joseph of Falmouth.

² His settlement is said, by Rev. Mr. Hawley, to have been "effected by a factional influence" from abroad, designed to defeat the settle-

He is represented as a sensible man, a good preacher, preaching always in the Indian dialect; but it has also been said of him, that he was "not sufficiently prudent in the admission of members" to the church, and that he was "rather deficient in economy." His dismissal was finally occasioned by some dissatisfaction on the part of the Indians. It seems that his labors were not entirely interrupted, for his successor wrote concerning him in 1760, "He grows better as he grows older; he is nearly 66 years of age, has been a preacher more than 40 years, and continues in his usefulness to this day."¹

The Rev. GIDEON HAWLEY succeeded Mr. Bryant, April 10, 1758, and was installed as missionary and pastor. Mr. Hawley was a native of Connecticut, and graduated at Yale, in 1749. He had commenced his missionary labors, in 1752, at Stockbridge. The September following he had made an excursion to Schoharie in the country of the Mohawks. In Stockbridge, he was an instructor under the patronage of Rev. Jonathan Edwards, having charge of a large number of children of the Mohawk, Oneida, and Tuscarora Indians, and preaching to them on Sundays. It being determined to establish a mission among the Iroquois, or Indians of the Six Nations, Mr. Hawley was selected for that important mission, and at once commenced his journey

ment of a worthy and educated gentleman from Barnstable, whose family connections were not acceptable to certain other persons of influence. The Rev. Mr. Smith of Yarmouth was also nominated by the ministers of the county; but "he also was a native of Barnstable, and therefore unacceptable."

¹ Mr. BRIANT died, May 8, 1775, æ. 80. There was also a Joseph Briant, or Bryant, minister at Mashpee, or in the neighborhood, who died April 25, 1759; and, in 1698, a John Bryant had been an Indian teacher at Acushnet several years.

towards the wilderness. In company with Mr. Timothy Woodbridge, he visited, on his way, Sir William Johnson, and, having secured his patronage, proceeded towards the head of the Susquehanna. Reaching the place of destination, June 4, which was *Ononhaghwege*, he, with Mr. Woodbridge, held a conference with the Indians and met with a good reception. In 1754, July 31, he received ordination, at Boston; and then returning to the missionary station, continued his labors until May, 1756, when the French War compelled him to retire. Returning to Boston, he became a chaplain in the regiment of Col. Gridley, and joined the army at Albany, destined against Crown Point. After the campaign, being still prevented from returning to his mission, by dangers threatened, he was persuaded, in 1757, by commissioners of the Society for Propagating the Gospel among the Indians in North America, to visit Mashpee.¹

Mr. Hawley, in giving his early impressions respecting his new location at Mashpee, has said, "The country did not strike me agreeably at first; the Indians appeared abject, and widely different from the Iroquois. The Mashpee Indians were clad according to the English mode: but a half-naked savage was less disagreeable than Indians who had lost their independence." Still, Mr. Hawley was constrained to confess, "There is

¹ Mr. Hawley was invited back to his mission among the Iroquois, by a letter from Sir Wm. Johnson, written at the request of the Iroquois Indians; but being urgently advised by Abraham Depuyster Esq., a wealthy merchant in New York, and Rev. Mr. Frelinghuysen, minister of the Dutch church at Albany, to relinquish all thought of resuming the mission, as the small-pox was every where in the way, and as he would therefore be in constant danger both from the enemy and infection, he concluded to accept of the charge at Mashpee.

no place I ever saw, so adapted to an Indian town as this. It is situated on the Sound, in sight of Martha's Vineyard; is cut into necks of land, and has two inlets by the sea; being well watered by three fresh rivers, and three large fresh ponds lying in the centre of the plantation. In the two salt water bays are a great plenty of fish of every description; and in the rivers are trout, herring, &c. In the woods, until lately, has been a great variety of wild game, consisting of deer, &c.; and adjacent to the rivers and ponds, otters, minks, and other amphibious animals whose skins have been sought for, and made a valuable remittance to Europe ever since my knowledge of these Indians."¹

¹ This view of the adaptation of the plantation to its purposes, is confirmed by a report made to the State Senate in 1834 by Hon. Josiah J. Fiske, appointed by the governor to visit the tribe and make inquisition into the state of affairs. The commissioner says, "It is hardly possible to find a place more favorable for gaining a subsistence without labor than the territory of Mashpee. It is situated on a sound, cut into necks of land with inlets from the sea, being well watered with beautiful ponds and fresh water streams running from the central parts of the plantation. On the sea shores are sea-fowl, shell fish, and lobsters in abundance. The salt water bays abound in fish of a larger kind, and the fresh water streams and ponds in trout and herring and small fish of every variety. Great Neck, which has sometimes been called the metropolis of Mashpee, is famous for eels which have been easily taken in large quantities by torch light. In the woods, till lately, wild game has been plenty; and in places adjacent to the streams and ponds, amphibious animals have been easily taken when furs were valuable. The natives are dexterous whalers. In latter years, the business of pursuing whales has been open to all the able-bodied Indians who have been disposed to embark in the numerous whale ships which sail from the various seaports in the vicinity of Mashpee. This delightful territory, thus situated, has been preserved to the Indians through the guardian care of the government, until the standing wood thereon, with a ready market upon its borders, has become so valuable as to be worth from 50 to \$100,000,

In 1674, Mr. Richard Bourne, in a letter to Capt. Daniel Gookin, had estimated "the number of praying Indians that do frequently meet together to worship God, in Satuit,¹ Pawpoesit,² Coatuit,³ Mashpee,⁴ and Wakoquett,"⁵ (all within or near the limits of Mashpee,⁶) as being "95, of whom 24 (could) read and 10 (could) write. Two only of the whole number (could) read English." He lamented "the irreligion of many;" saying, they "are very loose in their course, to my heart-breaking sorrow." He stated further, "The tract of land reserved for the Indians and theirs forever, where I am laboring, is nearly 10 miles in length and 5 in breadth. The like is done at Comassakumkanit, near Sandwich."⁷

in addition to all the grants which have been made from time to time to the inhabitants for purposes of education and religious improvement. . . . All were comfortably and decently clad, many of them occupying frame houses, and a few of them dwelling in wigwams." The commissioner represented them as, in many instances, being in possession of cows and swine; tilling the land for the raising of corn, rye, &c.; some owning oxen, and some horses; the fodder for cattle derived from the marshes and pastures. "The plantation consists of about 10,500 acres, three fourths of which are covered with wood."

¹ *Sanctuit*, now generally written.

² Supposed to be *Papponesit*.

³ S. W. part of Barnstable.

⁴ We suppose he means, Mashpee *proper*: the *metropolis*.

⁵ That is, *Waquoit*.

⁶ By reference to other parts of the present volume, it will be seen that Mr. Bourne gives a larger view, embracing all the Indians on the Cape. Probably some of these, especially in Mattakees, Weequaket, Codtaumut, Ashimuit, Weesquobs, Pispogutt, Sokones, &c., became ultimately identified with the Mashpees, and interested in the benefits of the plantation.

⁷ There can be very little doubt that the Indian settlement embracing the Herring Pond tribe, whose Indian name is so often stated as lost, was *Comassakumkanet*. The reservation indicates it.

In 1685, Mr. Hinckley, Governor of the Plymouth Colony, reported to the corporation in England, "141 *praying* Indians at Mashpee; at Monamet, 110, besides boys and girls under 12 years of age; at Scauton, 51; at Suckanesset, 72; at Mattakiest, 70." In the whole Plymouth Colony, were 1439 praying Indians, besides youths under 12 years of age supposed to be three times that number.

In 1693, the Indians were, by the State, subjected to guardianship; the guardians being subordinate to overseers appointed by the Colonial Government;¹ and this state of things continued to 1763,² when Mashpee was constituted a district with power to elect its own officers.³ At this time there were "in Mashpee and places adjacent, 214 adult Indians, besides stragglers, all then under the care of Mr. Rowland Cotton of Sandwich, besides 180 Indians to whom Mr. Thomas Tupper preached, and 500 under the care of Mr. John Cotton of Plymouth. In Eastham, were 505 adult Indians to whom Mr. Treat preached.

In 1718, the civil capacity to make contracts, was taken from the Indians; but, in 1725, the right of the Indians to employ persons to build houses on the reservation, was recognized by law. The Indians' land was yet in commons.

When, in 1763, Mashpee was incorporated as a dis-

¹ These guardians were styled "commissioners."

² In 1760, the year of the coronation of George III., Reuben Cogneheew, a Mashpee, undertook a mission to England, and in person presented to the king complaints against the measures of the colonial government towards the Indians. He returned with orders from the king to give the Indians a better government.

³ This was not done without much opposition from the overseers and others, and, as the preamble says, upon "the repeated and importunate desire of the Indians and mulattoes, proprietors in Mashpee."

trict, the proprietors were empowered to assemble "in the public meeting house, to elect a moderator; five overseers, two of whom must be Englishmen; a district clerk, and treasurer, which two last named officers must be English; two wardens; and one or more constables." The act by which this power was granted, giving them the management generally of their own affairs in town meeting, was to continue in force three years. It does not appear that it was renewed.¹ The governor and council, "pursuant to an act empowering them to appoint certain persons to have inspection of the Indian plantation in Mashpee," commissioned for this trust Thomas Smith, Isaac Hinckley, and Gideon Hawley. At this time, there remained in the Old Colony only 905 of every age; viz.: 223 in the County of Plymouth; 167 in the County of Bristol; and 515 in the County of Barnstable. "In 1767, there were, in Mashpee, 21 shingled houses, and 52 wigwams; 112 married persons, 36 widows, 123 minors and unmarried, and in all 291 souls." Besides these, at Scanton, were 9 wigwams.

In 1777, Jan. 25, an act was passed by the legislature, in answer to "a petition of the Indian proprietors

¹ From a very early period, magistrates for the Indians in the county, some with more limited jurisdiction, were appointed by the government. — Commissions were issued in 1715, to John Gorham, Wm. Bassett, Joseph Doane, and Peter Thacher, as "Jus. Pac. for the Indians in the county at large;" in 1716, to John Otis; the same year to Shearjashub Bourne for the Indians in and around Sandwich; in 1719, to *John Thomas* and *Joshua Ralph*, *Indians* of Eastham, to be justices for the Indians in the county; in 1721, to Joseph Crocker; 1722, Melatiah Bourne; 1723, Ezra Bourne; 1724, Nath'l Freeman; 1729, Shubael Baxter; 1734, Stephen Skiff; 1744, Samuel Tupper; 1753, Benj. Crocker, all for the Indians of the county; and 1765, Thomas Freeman "for the Potanumacut Indians."

of Mashpee," granting leave to sell certain lands, the moneys arising from the sales "to be paid to the Overseers of the District, and by them put at interest for the purpose of relieving the poor of said district." Nathaniel Shiverick Esq. of Falmouth, and Mr. Micah Blackwell of Sandwich, were appointed under said act, to sell the land described, and execute good and lawful conveyances of the same. This is said to have consisted of a large and valuable tract formerly designed as a parsonage; and was covered with a large growth of wood and timber. It sold for about eight thousand dollars.

In 1778, the missionary, Rev. Mr. Hawley, had donated to him by the Indians two hundred acres of land, which must have been with the approbation of Government, as the land was ever after held by the family in valid title.¹

After the revolutionary war, June 13, 1788, all former laws were repealed, and a Board of Overseers was provided;² "the Indian, mulatto and negro proprietors

¹ By reference to the record of the General Court, June 26, 1779, we find that by special act of the same, certain proprietors were, upon the petition of Mr. Hawley and others, authorized to unite with the overseers in giving a deed of this land to Mr. Hawley "for his future encouragement to continue his labors in the ministry" in Mashpee. The proprietors named were *Joseph Richards*, *Timothy Wright*, and *John Pognet*; and the conveyance was to "be considered good and lawful." It may here be remarked that it is evident that generally all the early grants made by the Government of Indian lands, wherever situated, were considered as preëmptive merely, and as little more than authority to purchase of the natives.

² Walter Spooner of New Bedford, Matthias Mayhew of Dukes Co., and Rev. Gideon Hawley of Be. were app. Feb. 2, 1789. David Thacher of Y., and John Davis of Plym. were app. Jan. 30, 1795, and Eph. Spooner of Plym. June 22, 1795. Joshua Thomas of Plym., Kilborn Whitman of Pembroke, Gideon Hawley, Nymphas Marston,

and inhabitants of Mashpee" were deprived of their civil rights, and left entirely under the control of men in whose selection they had no choice; and Jan. 30, 1789, other provisions of a very stringent character were enacted by the legislature. The overseers were authorized to appoint guardians for the Indians, and these officers were invested with large powers. The complaints of the Indians, often heard, were now more frequent, and louder than ever,¹ until, in 1795, in consequence of these reiterated complaints, a committee was appointed by the legislature to proceed to Mashpee, and investigate the causes of disaffection. The result was, that, February, 1796, still other laws were passed that were regarded by the Mashpees as additionally oppressive, although ostensibly designed to secure to the natives their woodland and other possessions against the possibility of alienation. Thus they were doomed to a continuance for at least half a century of their civil disabilities before they should find any relief.

The plantation had from the beginning been an expensive establishment as managed by law. Touching the question, what of benefit inured to the Indians by the outlay, there will probably be, as there ever have been, two directly adverse opinions. It is not our purpose to enter at all upon this question. Still, we are forcibly reminded by the hitherto existing state of things, as also by the remark of Rev. Mr. Hawley, (in

Chs. Marston, John Percival, Reuben Fisk, and perhaps others were subsequently either overseers or guardians.

¹ They uniformly remonstrated. In 1788, they said in petition, "Your honors for want of information have put us under a disagreeable constitution;" and urged "the mortification" to which they were subjected, "of being put under guardianship and considered as minors."

the comparison he instituted between the Mashpees and the Iroquois,) of the anecdote related by Dr. Boudinot in regard to the interview of General Knox, in New York, with a large number of Indian chiefs, sachems, and warriors, in 1789. This distinguished American general, being at the time Secretary of War, gave an entertainment to these delegations of Indians. From the balcony of the building where they were assembled, they had a fine view of the entire city and harbor. They glanced abroad in mute astonishment, but seemed dejected; the General inquired the cause; the principal Chief replied, "Brother, I will tell you. This fine country and these great waters were once *ours*. Here our fathers lived, and enjoyed in peace the land as *their own*, and as the gift of the GREAT SPIRIT. At last, the *white people* came in a great canoe, and asked us only to let them fasten their canoe to the bank, or to a tree, that the tide might not carry it away. They then said, that some of their people were sick; and they, therefore, wished permission to land them, and place them under the shade of the trees. Then, soon, the ice came, and they said they could not get away. They begged, therefore, a piece of ground to build wigwams to protect them from the winter's cold. By and by, they asked for some corn, to keep them from starving. And, at last, when we reminded them of their promise to depart when the ice was gone, they pointed their big guns at us. More people had come; they had brought intoxicating liquors with them, and persuaded our people to sell land. They destroyed our game, and drove us back into the wilderness. Our people wasted away. They became miserable and wretched. The white people enjoy our fine country."

Similar is the testimony of Heckewelder, in regard to declarations of the early settlers of Virginia: "We took the white man by the hand, and bade him welcome to sit by our side and live with us as a *brother*. We *gave* him *all* that he *needed*; he soon *wanted* ALL that we had, and we were *driven out*!"

During the revolutionary war, the Mashpee Indians were ready soldiers, and did much good service. It was stated, in 1783, by Rev. Mr. Hawley, that most of the women in Mashpee had lost their husbands, in the war. At that time, there were no less than seventy widows on the plantation.¹ A return of men enlisted in the Continental army for three years, or during the war, shows in a single regiment, raised in 1777, the names of twenty-six Mashpees: Francis Webquish, Samuel Moses, Demps Squibs, Mark Negro, Tom Cæsar, Joseph Asher, James Keeter, Joseph Keeter, Jacob Keeter, Daniel Pocknet, Job Rimmon, George Shawn, Castel Barnet, Joshua Pognet, James Rimmon, David Hatch, James Nocake, Abel Hoswitt, Elisha Keeter, John Pearce, John Mapix, Amos Babcock, Hosea Pognet, Church Asher, Gideon Tumpum.

The Rev. Mr. Hawley, who seems to have been regarded on all hands as peculiarly fitted for his work, was here occupied nearly half a century in benevolent exertion.² He died Oct. 3, 1807, æ. 80. In his last

¹ The war of the revolution made sad inroads upon their community. Of twenty-two of their most active men enlisted in the *first* Continental regiment of four hundred men raised in the county, all perished, except one, in the service. Such bereavements tended greatly to encourage intermarriages with the blacks.

² He is said to have "possessed great dignity of manner and authority of voice, which had much influence with the Indians." He is understood to have been descended from Mr. SAMUEL HAWLEY who came from Derbyshire, Eng., first to Roxbury, Mass., thence remov-

sickness he said, "I have hope of acceptance with God; but it is founded wholly on free and sovereign grace, and not at all on my works. It is true, my labors have been many; but they have been so very imperfect, attended with so great a want of charity and humility, that I have no hope in them as a ground of acceptance." An extensive correspondence was a source of much satisfaction to him, especially in his declining years.

A characteristic letter, written a short time before the decease of this venerable man, happens to be in our possession; and, as it relates to the times of its date, and shows the vigor of old age, it is worthy to be here transcribed:—

"June 24, 1795.

"Honored Sir: Retired as I am, and at my time of life, I need amusement. I read; but my eyes soon become weary. I converse; but it is with those who have heard my stale observations and my threadbare stories till they have them by rote. In such a case, what can I do? I walk; but soon be-

ing in 1639 to Stratford, Ct.; and among whose issue were Joseph of Stratford; Thos. of Northampton, Mass.; and Eliz. of Stratford. The eldest of these, JOSEPH, had Sam'l, 1647, who d. Aug. 24, 1734; Joseph, Jan. 9, 1649, d. young; Elizabeth, 1651; Eben'r, Sept. 17, 1654, who d. about 1690; Hannah, 1657; Ephraim, Aug. 7, 1659, d. Ap. 18, 1690; John, June 14, 1661, d. July 27, 1729; and Mary, 1663. The children of EPHRAIM, the 6th of these last, of Newtown, were Daniel of Trumbull, Ct., Sept. 20, 1684, d. July 28, 1750; Gideon, Jan. 30, 1687, d. 1730; and Abiah, 1690. The children of GIDEON, the 2d of these last, were James, of Bridgeport, Jan. 29, 1713, d. Oct. 7, 1746; Zachariah, Sept. 2, 1717; Sarah, 1721; Abiah, 1723; Anne, 1724; and GIDEON, the *missionary* to the Mashpees, b. in 1726, grad. Yale 1749, m. Lucy, dr. of Rev. Benj. Fessenden of Sandwich, June 14, 1759, and d., as we have said, Oct. 3, 1807. His son James, grad. H. C. 1792, tutor 1797-8, ord. May, 1798, minister of Pembroke, and d. Oct. 8, 1800, æ. 27, was a man of rare promise and greatly beloved. Gideon Esq., another son, was highly respectable.

come weary. I cannot doze away my time upon the bed of sloth, nor nod in my elbow chair. I, therefore, sometimes sit at the window and view my poultry, after my rural ramble, and relax my mind after studious application.

"These fowls are not very profitable; for they make depredations on all sides, waste the fruits of my fields, and spoil my garden: but I hear their voice hailing the early dawn; and this admonishes me of my duty; — as Inspiration teaches, 'Ask now the fowls, for they will tell thee;' and, in another place, 'Consider the fowls.'

"A very common occurrence attracted my attention the other day: I saw how great an underling one of the cocks was made by the Cockron and others of the flock. He was even deprived of the rights of hens. He dare not sound his clarion, nor associate with the females of the flock! I pitied his fate, and concluded to take an active part in his favor. I fed him from my own hand, and drove away his tyrants, pelting them with stones. This little fellow gathered courage with his strength, sung his notes, and enjoyed his amours in consequence of my favor. But, alas! to the terror and amazement of the whole company, he, in his turn, became an intolerable tyrant! He attacked his sire, and beat the Archon, and wounded one of his fellows of the same brood in such a manner that his life was despaired of; and, out of compassion, I wrung the neck of the wounded, and lost his carcass. In short, this little cock raised his crest and reigned with a vengeance. I, therefore, laid him under arrest, and kept him in confinement until his passions were cooled. However, it mortified me to consider how inconsiderately I had acted; for it was by my means that this sanguinary affair had been brought about. I did it without any ill design; but it was injudicious. I destroyed the balance of power, and every thing ran into confusion in my republic of hens. The Archon had better understanding, and was wiser in this affair than I was. He saw latent tyranny in the nature of this little fellow; that it would not do to indulge him, for he needed a master. However, I have now liberated him from his confinement, and he seems properly humbled, and keeps his rank in life. But I have determined not to meddle in the government of hens in future, nor overturn establishments. Cocks will be cocks. As the sage Indian said, 'Tucks will be tucks, though old hen he hatch 'em.'

"Milton, full of his notions, supposes that a change in consequence of Adam's fall, passed upon the other animals; and I cannot contradict him. But be that as it may, their natures remain much as they were when the race of European animals were imported into America, notwithstanding the changes

which have passed over their masters. Bulls are yet bulls, and of the same nature that they had before the revolution in this country, and that important one now regenerating the Old World, as it is called; and under every form of government and dispensation, men will be men,—the same wicked, vicious race by nature that they always were,—there being no form of government or means of grace, but what have been tried upon them over and over again in every possible circumstance. Please read Romans, chap. 1; and Edwards on Human Depravity or Original Sin. Man is a mere ‘wild ass’s colt.’ Vide Soame Jenyns’ Works, and Fable of Bees. Christianity greatly meliorated the world; but like all other good things in the hands of man, it soon became corrupted. A good institution of civil government soon deteriorates and grows worse and worse by its administration, be it a commonwealth or a monarchy.

“I have room only to add,

“Sir, your very humble servant,

“GIDEON HAWLEY.

“Hon. Dr. Freeman.”

The reader familiar with the history of the times at the date of this letter, will form his own conclusions in regard to the moral which the letter inculcates. Other specimens of his correspondence, showing how sincere, judicious, and sympathizing a friend he was at all times, especially in the hour of affliction, might be given; but as our design is not to write a memoir of Mr. Hawley, we forbear.

Mr. Hawley, as had been his predecessors, was sustained in his missionary career by the funds of the Society in England for Propagating the Gospel among the Indians in North America; under the agency of commissioners in Boston. In 1792, the only Indian church in existence was in Mashpee; none in Plymouth or Bristol Counties. Of the one hundred and thirty-four Indians left in Dartmouth and Freetown in 1763, but thirty remained. In all other towns in Bristol Co. they were extinct. In Plymouth Co., there remained in Middleboro’ four or five families; two or

three in Pembroke, and five or six persons in Bridgewater. In Barnstable Co., a few remained at Potanumaquut, and in Barnstable and at Herring Pond. The great body resided in and about Mashpee; eighty families, a mixed race, not more than forty or fifty Indians of pure blood.

Next succeeding, was Rev. PHINEAS FISH of Sandwich, a graduate of Harvard College in 1811; who began his ministry in Mashpee by appointment of the authorities of the college, in conjunction with the overseers of Mashpee, and was ordained, Sept. 18, 1812. The nomination rested with the corporation of Harvard College as trustees of "the Williams Fund."

It is proper here to state that, in 1711, Rev. Daniel Williams, a pious man and eminent clergyman of London, died, having in his will bequeathed a legacy constituting this fund. The bequest was as follows: "I give the remainder of my estate, to be paid yearly to the College of Cambridge in New England, or to such as are usually employed to manage the blessed work of converting the poor Indians there, to promote which I design this part of my gift." From this fund, Rev. Mr. Hawley had received \$100 per annum; and the Rev. Mr. Fish, during his pastorate, received from \$390 to \$433 per annum, for the increase of their regular stipends. Two thirds of the income of the Williams fund has continued to be allowed by the trustees to the selectmen of Mashpee towards the support of such missionary as shall be chosen by the proprietors of the district, since the time when Mashpee was established as a parish.

It is but an act of sheer justice to the Indians, here to state that, in setting forth their grievances at a later period, they aver that during the fifty years' service of

the predecessor of Mr. Fish, "not an Indian was taught to read, nor a single Indian converted"! Indeed, Rev. Cotton Mather Smith's confession, "The arrangements for managing Indian schools, were never thoroughly made, admirable as was the plan, and much as it promised," is sustained by the representations made by the Mashpees, whilst it was in a wider sense applicable to the Indians in other parts. The fact, unhappily, cannot be controverted that "vast sums of money expended by the Propagation Society, intended for the benefit of the aboriginal natives, were shamefully thrown away in New England without being faithfully and energetically applied to the end intended by the donors."

Some opposition was made by the Mashpees to the settlement of Mr. Hawley's successor; but the decision of Harvard College and the consent of the overseers prevailed, and Mr. Fish who was a truly amiable and estimable man, moved on in comparative quiet for many years, dividing his labors between Mashpee and the plantation at Commassekumkanet, or Herring Pond lying between Sandwich and Plymouth.¹ Mr. Fish was

¹ This last was the field of the early labors of Mr. Thomas Tupper Sr., whom we have frequently had occasion to mention in the prosecution of our work; and this Indian church at Herring Pond was many years nurtured by those of the name. Mr. THOMAS TUPPER was b. 1578, and d. Mar. 28, 1676, æ. 98 yrs. and 2 mo. His widow ANNE d. June 4, 1676, æ. about 90. Their son THOMAS JR. b. Jan. 16, 1638, m. Martha, dr. of Thos. Mayhew of Martha's Vineyard, Oct. 22, 1661, who d. a widow, Nov. 15, 1717. [Her father who was Gov. of M. Vineyard and the neighboring islands, obtained a grant from Lord Stirling in 1641, and conveyed to his daughter, by deed of gift, 1666, much valuable estate including among other lands an "estate at Chapaquidick;" half of "the island Nunnemisset bought of Isaac, sachem of Manomet;" and also a share "of Cuttayahunck which was given by the said sachem." Gov. Mayhew, after the death of his son, — Rev. Thomas Mayhew Jr., the first minister,

possessed of more than ordinary talents, was a good scholar, with a trusty and affectionate heart, and one of the best ethical writers of the day.

At the time of the settlement of Mr. Fish, there

of the Vineyard, commencing his labors there in 1642, — “gave *himself* to the work of the ministry among the natives when at the age of 70,” and, “notwithstanding his advanced years and his office of Gov’r, often travelled on foot 20 miles through the woods to impart religious instruction to the Indians.” From him were descended, besides Rev. Thos. lost at sea on returning from England, Matthew who succeeded his grandfather in the government of the islands in 1681 and also preached to the Indians; Thomas a judge, and John a minister at the Vineyard — sons of Rev. Thomas. From them were Experience, another minister on the island; Zechariah, a miss’y at Gay Head; Jonathan, D. D. minister in Boston; and many others distinguished, among whom by maternal descent was the Rt. Rev. Jonathan Mayhew Wainwright, the late lamented provisional bishop of the diocese of New York. The longevity of the Mayhews for successive generations was remarkable — numbers of them living to be very aged. The several generations embraced characters of great piety, learning, active benevolence, and influence.] Thos. Tupper Jr., by his wife Martha, had Martha, 1662; Thomas, Aug. 11, 1664, who m. Mary and had Jane, 1688, and Thomas July 25, 1693; Israel, Sept. 22, 1666; Elisha, March 17, 1668; Jane who d. 1673; Ichabod, Aug. 11, 1673; Eldad, May 31, 1674; Medad, Sept. 22, 1677; Anne, 1679, who m. Benj. Gibbs; Eliakim, Dec. 29, 1681; and Bethia, 1685. — Of this large family of the 3d generation, ISRAEL b. 1666, had by his wife Elizabeth, Samuel, May 4, 1692, first named Elisha which name was changed; Thankful, 1696, who m. Josiah Clark of Plymouth, Oct. 30, 1718; Meribah, 1699; Eliza’h, 1701, d. inf.; Israel, June 18, 1705, d. inf.; Sarah, Aug. 6, 1707; Israel, April 28, 1710; Nathaniel, Dec. 7, 1714; and Rowland, Feb. 15, 1717. — ICHABOD b. 1673, had by his wife Mary, Anne, Mar. 6, 1713; Thos., Dec. 20, 1714; Mary, 1717; Martha, 1719; Mehitable, 1721; and Jedediah, 1725. — ELAD b. 1674, m. Martha Wheaton, Dec. 30, 1701, and had Mehitable, Nov. 9, 1702, who m. Ichabod Smith, Dec. 6, 1723; Jemima, 1704; Elisha, July 17, 1707; Isaiah, Dec. 11, 1709; Eldad, Mar. 4, 1714; Prince, July 24, 1718; Mayhew, July 13, 1719; Benj., Oct. 4, 1721; Thos., 1722; and Martha, 1725, who

were very few Indians remaining of unmixed blood, and very few who could speak their native dialect. Some few, however, still existed, aged, and destined soon to give way to a race of half-breeds, negroes, mu-

m. Nath'l Morton Jr. of Plymouth, 1746. — MEDAD b. 1677, had by his wife Hannah, Joanna, Sept. 29, 1704; Mary, 1706; Nathan, June 28, 1709, who m. Exp'e Gibbs, Jan. 16, 1735; Martha, 1711; Hannah, 1714; and Medad, Apr. 2, 1718, who m. Joanna Gibbs, Nov. 11, 1742. — ELIAKIM b. 1681, had by his wife Joanna, Ruth, June 30, 1708, who m. Jabez Dunkin, June 29, 1732; Anne, 1710; Eliakim, June 20, 1711, who m. Mary Bassett, Mar. 28, 1734, and had William, July 6, 1735; Abia, 1713; Elias, Oct. 12, 1715; Abigail, 1717; Thos., Nov. 21, 1719; Hannah, 1721; Jane, 1723, d. inf.; Joanna, 1724, who m. Roland Ellis, 1749; Nath'l, Apr. 24, 1726; Deborah, 1728; Charles, Dec. 28, 1729; and Solomon, Oct. 17, 1731. — It would make this note of inconvenient length, to follow at the present the genealogy of the entire branches of the 4th gen.; we, therefore, only note further that of the issue from Eldad son of Thos. Jr., embracing as it does that of his son Rev. ELISHA, the missionary at Herring Pond, and afterwards minister at Pocasset. Rev. Elisha b. 1707, d. 1787, æ. 80, had by Mary his wife, Jane, Nov. 4, 1741; Thankful, 1743; Mehitabel, 1745; and Abigail, 1748, who m. John Perry Jr., Oct. 26, 1769. Dying without male issue, the name in his branch became extinct. — ELDAD, bro. of Elisha, b. 1714, m. Remember Ellis, May 23, 1751. — PRINCE b. 1718, another bro., m. Jane Ellis, Nov. 18, 1750, and had Deborah who m. Joseph Gifford; Jane who m. James Faunce, his 2d w., June 12, 1796; Jemima who m. Jona. Nye of Fairfield, Me., Sept. 19, 1799; Prince who m. Grace dr. of Malachi Ellis, Mar. 9, 1794, and d. without issue; Ellis who m. Eunice Ellis of Nantucket, 1793, and afterwards resided in Maine, having several children, of whom a son now resides in Sandwich; and Eldad who went to Danvers. — Dr. BENJAMIN b. 1721, another bro., m. Eliza. Ellis, Sept. 5, 1745, and m. 2d —, settled at Nantucket in the practice of medicine, and d. 1793. He had 4 ch. by the 1st m., and 1 by the 2d. Those by the first, were Benj., who d. on a whaling voyage, in the ice of the Greenland seas, leaving a son Benj. who became a merchant in Boston, — then went to France as agent for the sale of oil, and to negotiate with the first consul for carrying on the whale fishery there, but d. on his passage back, [and was succeeded by Benj. Rotch of N.

lattoes, and Hessians. The last of the race, of purely Indian blood, was ISAAC SIMON, who survived until about the time of the commencement of the present half century.¹ In 1800, there were, in Mashpee, 380 souls, and about 80 Indian houses. Wigwams had almost

Bedford who arranged with Bonaparte then emperor an establishment at Dunkirk for the whale fishery and importation of his property in oil free of duty — a sure stepping-stone to fortune ;] Abigail who m. Joseph Jackson of Litchfield, Me. ; James, Apr. 1754 ; and Martha, who m. Obadiah Wood of Nantucket. — Dr. JAMES b. 1754, on Nantucket, was educated in Sandwich, and removed to Pownalboro', Me. By his m. with Deborah, dr. of Jona. Allen Esq. of Chilmark, he had James, Feb. 21, 1786, who d. Dec. 26, 1829 ; Jona. A., Aug. 31, 1787, who located on Staten Island where he d. 1819, leaving issue, one son being Allen, now of Iowa ; Tristram, Oct. 15, 1789, who settled in Charleston, S. C. ; Cordelia, June 23, 1792, who m. Barzillai White ; Homes, June 23, 1794, of Brooklyn, N. Y. ; Henry, Nov. 10, 1796, who set'd in N. Orleans ; Deborah, Apr. 19, 1799 ; Eliza., 1801 ; Mary, 1803, who m. Rev. Thos. N. Lord of Auburn, Me. ; and Frederic Allen, 1807, who settled in Savannah, Ga. — The issue of TRISTRAM b. 1789 : Samuel Y., pres't of Fireman's Ins. Co., Charleston ; James, master in equity ; Ann Eliza wife of Simeon Hyde, merch't ; R. Furman who served as lt. of Gen. Persifer Smith's La. Volunteers in the Mexican war ; Henry Allen, clergyman of the Baptist ch. in Washington, Ga. ; Tristram Jr., merchant, Charleston ; Kate Harral, to whom we are indebted for a copy of the record of her branch of the family for three generations ; Frederick, merch't ; Geo., merch't ; Cordelia ; and Richard F.

¹ The Rev. Dr. Alden says, "The last was SAMUEL RICHARDS who d. about 1804-5, æ. 91, the oldest Indian in the tribe — of remarkably upright gait, tall, well-proportioned, of dignified aspect. He had been early taught to read his vernacular tongue, and owned Eliot's Bible. He had been a religious man many years, and was regarded by Rev. Mr. Hawley as steady, honest, well-minded. He and his squaw whose name was Hannah Popmonnet, used to converse in their native tongue ; but there is scarcely an individual left who knows much about the original language of Massapee." He adds, "It is worthy of remark that some of the best seamen, particularly for whaling, have proceeded from Massapee."

entirely disappeared. At the time of Mr. Fish's ordination, the number of the Mashpees was 357. Many of them were active and expert whalers; a business in which they have excelled, and have been much employed by their white neighbors. But many of the Indians, especially the women and the old men, were content to manufacture brooms, baskets, &c., and to peddle these, together with berries, fish, &c., to the inhabitants of the surrounding towns. Very little attention was given upon the plantation to agriculture. Under the direction of the guardians, numbers of the youth of both sexes had been, from time to time, indentured to families in surrounding towns; and these, for a while, made valuable servants, and were greatly convenient on farms, and as domestics. Fondness for an idle and wandering life, and withal for strong drink, seemed soon, however, to characterize a large portion of those who had entered on their majority. Some honorable exceptions there have ever been; but so few comparatively that the evidence of an incubus resting upon the Indians' ambition to excel, and betokening their final extinction, has been sadly apparent. The Indian language, and the pure Indian blood, extinct, a promiscuous race of colored people, in diminished numbers, now constitute the population of Mashpee.

In 1817, an appropriation of \$500 was made by the State legislature to repair the Indian meeting house.¹ The legislature, in 1831, also appropriated \$400 for the erecting of two school houses. Up to this time, and not until the expiration of two or three years more,

¹ We are not to suppose that the Indians had ceased to complain of their condition. They felt the degradation to which they were subjected. In 1818, they petitioned the legislature without success, "to grant us the unspeakable privilege of choosing our own overseers."

had any thing been done for the Indians by the State, as respects their education, but the building of the two school houses. In 1834, an appropriation for schools was made, of \$100 from the State school fund. In 1838, an appropriation of \$800 was made for the repairs of the meeting house; and since then \$900 has been ordered for similar purposes.

It has been said by the Mashpees themselves, during the troubles of this period, that "in all times past, the natives had been regarded only as *savages*. If their children were taken by the authorities and put out to work, it was with an understanding that they need not be schooled, and that they had generally been badly fed, badly lodged, badly clad. That, though thus deprived of all mental culture;¹ robbed, as has been alleged, of their rights; they were constantly subject to the unfeeling accusation of being *degraded*. Yet, that notwithstanding all this, some of them, by living abroad, had learned to read and write, and gained some knowledge of arithmetic, and become teachers of others. That, whilst taxed \$400 per annum for the support of white overseers and other officers, and the Indians' possessions were employed for the support of a white man as pastor forced upon them, \$56,000 had, in 140 years, been paid out of Indian funds, to the white people, for which nothing had actually been received, save \$900 to repair the meeting house, and \$100 for schools within the last few years; whilst the Mashpees were all this time regarded as State *paupers*." It is no part of our present duty to pronounce on the justice or injustice of these allegations. We may only say, if these things *are* so, there is some piquancy in the remark made by

¹ There were certainly honorable exceptions to this state of things.

one of them, "Verily, it is a fine thing to be an Indian!"

Early in 1833, the dissatisfaction of the Mashpees with the existing condition of affairs assumed a determined aspect. To DANIEL B. AMOS, is conceded, by his tribe, the honor of conceiving a plan to free his people from what they regarded as abject slavery.

WILLIAM APES, a regularly ordained preacher of the Pequot tribe, came to Mashpee, "was adopted by the tribe, and invited to preach to them and assist them in gaining their liberty." Mr. Apes' description of the place, and his first impressions on visiting the Mashpees, is graphic; and we give it, in substance, as follows:—"The sacred edifice stood in the midst of a noble forest, and seemed to be about one hundred years old.¹ Hard by, was an Indian burying ground overgrown with pines.² The graves were all ranged north and south. A delightful brook, fed by some of

¹ The meeting house was built, before the year 1757, by funds of the English Propagation Society. The original meeting house was built in 1684, by the same society, which contributed to support a missionary until after the revolution.

² Among these, graves may be found whose monuments bear the following inscriptions:—

"In memory of Dea. ZACHEUS POPMUNNET, died Oct. 22, 1770, æ. 51 yrs. "The righteous is more excellent than his neighbor."

"In memory of FLORA HAWLEY, ob't Jan. 31, 1785, æ. 40 yrs. 'A faithful servant.'"

These instances do not exhibit a remarkable longevity; but OLD-MIXON, 1708, says, "The Indians lived commonly to 150 years." There were certainly at an early period notable instances of extreme old age. The statements of Oldmixon, however, are to be taken with some abatement; for he also says, "Plymouth Bay is larger than Cape Cod, and has two fine islands: Rhode Island and Elizabeth Island." He tells us also that New England is bounded west by Pennsylvania. We cannot take him for authority.

the sweetest springs in Massachusetts, murmured by its side. After pleasing my eyes with this charming landscape, I turned to meet my Indian brethren, and give them the hand of friendship; but look in whatever direction, those coming to the house of God on this my first Sabbath in the place, were *pale-faces*. I entered the house with the missionary, Rev. Mr. Fish, who had invited me to preach. It had the appearance of some ancient monument upon a hill-top, set up as a land mark to generations yet unborn. Could Solomon's temple have been placed beside it, I think no one would have drawn an architectural comparison. When I arose to give out the psalm to be sung, I cast my eyes towards the gallery, to see how the songsters, who were already tuning their harps, appeared.¹ With *one*

¹ We are forcibly reminded here of a practice that had escaped our remembrance,—that of the choir tuning their voices—often with the aid of the bass viol and sometimes violin, during the reading of the psalm. This practice long prevailed, and we think it probable it may still prevail in some churches. That practice, together with another—the slamming down of the seats of pews (the seats being adjusted with hinges for the convenience of the congregation, who made it a religious duty to *stand* in the time of prayer) which came upon our youthful ears like an irregular discharge of infantry at the utterance of the closing ‘Amen’ of prayer, left a vivid impression upon our mind of the irreverence that in those days, without design, attended solemn acts of devotion. Nor can we to this day forget the like irreverence so general of the males walking into the house of God with covered heads, even to their pews, and issuing in like manner—(an act that would at the present day, and indeed in every age, be considered boorish if practised in the house of any gentleman;) nor yet another custom—that of early preparation for a determined stampede from the meeting house the moment that the benediction was pronounced. Coats were buttoned, canes and hats were taken in hand, pew-doors were unbuttoned, and diligent and full preparation was made for a general rush to ensue as soon as the closing ‘Amen’ should begin to be articulated by the minister. And such a babel of

solitary exception, paleness was on all their faces. I must, however, do these *Indians* the justice to say that they performed their parts very well. Looking below, something new caught my attention: reserved on the sides of the temple, were seats for the privileged white people. After preaching, I attended, between the morning and afternoon service, the Sabbath school, in which a solitary red child might here and there be seen. I inquired where the *Indians* were; and was then informed that a person called Blind Joe *tried* to preach to them, and that this was the cause of their absence. It was concluded, by the consent of the missionary, to have a service the next day among the *Indians*. When, on that occasion, addressing the Throne of Grace, I besought the Lord to ‘have compassion on the poor Indians, and relieve them from all oppressions.’ I was, after this, cautioned against alluding to *oppression*, lest the Indians should become more *discontented*. I now appointed to meet my red brethren on the Wednesday evening following, when I expected to bid them farewell forever. But what ensued led to a different determination.”

So much for Mr. Apes’ introduction to Mashpee. The sequel is at hand: Ebenezer Attaquin, Ezra Atta-

tongues and noisy scattering of devout worshippers as followed, was memorable. The reader will understand that this was not peculiar to Indian congregations—it was the Congregational practice! *Deane’s* history of Scituate informs us that tradition tells “how smokers would sometimes disturb public worship by the clicking of flints and steel to light their pipes; and that even clouds of smoke were to be seen in church.” We have no evidence of such a practice ever prevailing in *this* county; but we do find that, at a certain time, “Jedediah and Benj. Lombard, with Rd. Berry, were fined for smoking tobacco at the end of the meeting house in Yarmouth on the Lord’s day.”

quin, and others, were decided "to seek once more for that redress of grievances often sought before, but never obtained." The Mashpees assembled in Council May 21, 1833, and

"*Resolved*, 1. That we, as a tribe, will rule ourselves, and have the right to do so ; for all men are born free and equal, as says the Constitution of our country.

"*Resolved*, 2. That we will not permit any white man to come upon our Plantation, to cut, or to carry off, wood, or hay, or any other article, without our permission, after the 1st of July next."

These resolutions and others were followed by an address to the Trustees of the Williams Fund, and was signed by about one hundred Indians ; also attested "at the Council House at Mashpee.

"EBENEZER ATTAQUIN, President.

"ISRAEL AMOS, Secretary."

And the address was committed to a delegation to be presented to the Governor and Council.

June 25, 1833, this people concerted "a Form of Government," after the pattern of their white brethren ; and gave notice, by Proclamation, to all concerned, of their future intentions. These revolutionary proceedings did not fail to arouse the vigilance of outsiders ; and, July 1, for putting in force the resolutions they had adopted, certain of the leaders were arrested, tried, convicted, and finally imprisoned. They were prosecuted for a constructive riot, in unloading and retaining wood which a white man attempted to remove from the plantation.

It was at this stage of the proceedings that the Mashpees secured the services of the Hon. B. F. Hallett as their counsel. Mr. Hallett was born and brought up in the neighborhood of the Indian district ; and, in a memorandum, Oct. 2, 1834, says he "had always regarded these Indians as a people grievously op-

pressed by the white people, and borne down by laws which made them poor, and enriched other men upon their property." Mr. Hallett thought "the persons concerned in the riot, as it was called, were as justifiable in what they had done, as were our fathers in throwing the British teas into the Boston dock; and that the imprisonment of these Indians was no disgrace to them, more than was the confinement of patriots of the revolution, in the Jersey prison-ship." So this distinguished gentleman, who, with his well-known ability, espoused the cause of the Mashpees, is represented. And it is but just to say that the Indians, in expressing their gratitude to Mr. Hallett for his services, declare, "He gave us the aid of his extensive learning and undeniable talent, with no other end in view than the good of the Commonwealth and of the Mashpee tribe, and a strong desire to wipe from the character of his native State the foul blot of our continued wrongs. He never asked where his pay was to come from."¹

In the plea of Mr. Hallett upon the petition and remonstrances before the legislature, he is represented as saying, in answer to the allusions made against the

¹ It would be wrong for us to perpetuate a historical error by the impression that Mr. Hallett *received* no remuneration for his services. We have no disposition to indorse the suggestion made that "with him, it was, at bottom, a contest to place the Baptist denomination uppermost," his sympathies from education and early associations being with that denomination; but that accustomed "*fees* were afterwards paid with interest," we are assured by those competent to know, as corroborated by the treasury accounts. Thus much is due to the honor of the Indians; and it is, certainly, creditable to their counsel that his final remuneration was the reward of services rendered without the promise, and perhaps without the expectation of a requital.

petitioners, "I only ask you to look at the historical evidence of discontent with the laws ever since 1693. And let me remind you of the fable of the huntsman and the lion: when the former boasted of the superiority of man, and, as proof, pointed to the statue of one of the old heroes standing upon a prostrate lion, the reply of the noble beast was, 'There are no *sculptors* among lions; if there were, for one man standing upon a lion's carcass, you would have twenty men torn in pieces by lions.' Gentlemen, by depressing the Indians, our laws have taken care that they should have no *sculptors*. The white people have done all the *carving* for them, and have always placed *them undermost*."

The various proceedings had by the Mashpees, and the manifestoes put forth by them, were energetic, and all their writings were couched in forcible terms, written, as we are assured, by themselves. Their claims being carried by their counsel before the legislature, they finally prevailed.

Their memorial to the legislature, which their counsel preferred should be drawn up by themselves, was signed by males and females, one hundred and two in number, "residing on the plantation."¹ They prayed for the privilege of managing their own property; for the abolition of overseership; and for incorporation as a town, with the right of making municipal regulations; and Deacon Isaac Coombs, Daniel Amos,² and

¹ Prominent among the petitioners were Daniel B. Amos, James Hush, Ezra Attaquin, Christopher Hinson, Aaron Keeter, Joseph Pocknet, Nicholas Pocknet, David Wilbur, Wm. Jones, Isaac Simon, Oakes A. Coombs, Isaac Coombs, James Lowes, Richard Simon, Daniel Pocknet, Peter Squib, Joseph Squib, Jacob Pocknet, Israel Amos, &c.

² The name of this Indian has generally appeared in the printed

William Apes, well-informed Indians, were appointed by the petitioners to appear in their behalf before the legislature. — A remonstrance subsequently appeared in connection with a petition from the missionary, and was signed by Nathan Pocknet and thirty-five other Indians adverse to the action of the revolutionists; and yet again another petition signed by the same and fifty-one others favorable to a continuance of the hitherto existing order of things. This called forth from the liberty party further action; they charged Pocknet and his associates with being “under foreign influence, and being *used* by designing men to keep the tribe in bondage;” and a memorial followed, entitled “A Voice from the Mashpee Indians,” embracing at great length “A Bill of Complaints.” A petition “signed by seventy-eight males and ninety-two females residing on the plantation, and also in behalf of seventy-nine males and thirty-seven females who are absent and will not return to live under the present laws — in all 287,” prayed “for a grant of the liberties of the Constitution — to form a municipal code of laws amongst ourselves, that we may have a government that will be useful to us as a people; for we are sure we have never had any since our original sachem-fathers fell asleep.” Of these petitioners, “sixty-two men,” it was claimed, “were proved to be legal propri-

reports of proceedings, as here given; it is suggested, however, that the name should be written Daniel B. Amos. Having no means at hand for certifying the fact that as often as the two names occur they should be considered as identically the same, we are satisfied that it is so. We attach some importance to this fact as an act of justice to Mr. Amos; for he is said to have been “the Sam. Adams of the tribe in securing their independence;” whilst Mr. Apes has been eulogized as “the eloquent vindicator of Indians’ rights.”

etors, and forty-four of these proprietors wrote their own names." "These," it was further claimed, "are the true Indians;" and, it has been alleged, "were very respectable men—the eldest among them grave, decent, patriarchal, and revered."¹

By the act of 1834, Mashpee was incorporated as a DISTRICT, — the people being authorized to choose their own officers and to manage their own affairs, assisted by a Commissioner appointed by the State; the salutary provision still remaining that the lands may not be sold without the consent of all the inhabitants. Hon. Charles Marston of Barnstable, resident at Marston's Mills near the plantation, was appointed Commissioner, to the satisfaction of all, and, with the exception of about one year, has continued in the position, or as treasurer, to the time of this present writing.

Under the new order of affairs, agreeably to the "Act restoring the Rights of Self-government, in part, to the Marshpee Indians," the first selectmen and school committee chosen, were Ezra Attaquin, Isaac Coombs, and Israel Amos. From this time the Indians date their emancipation from civil bondage.²

¹ The memorial, too long to be inserted here, and in truth too caustic to suit our purpose, was written by Mr. Amos. He is remembered as a man of extraordinary power—self-possessed, energetic, and of much weight of character. He was "engaged in the coasting business."

² They had to this time been under the control of overseers empowered "to manage all the affairs, interests and concerns of the Indians and inhabitants"—to let out their lands and tenements; control and regulate absolutely their bargains, contracts and wages; bind out their children without consent of parents, and bind out to service for three years at a time any adult proprietor or member who in the judgment of the overseers was a drunkard or idler, and appropriate the earnings as they saw fit—there being no appeal. We do not

Some years after the incorporation of the District, Rev. Mr. Fish retired from his charge. "Controversies" were some time in progress about parsonage lands, involving many suits. These were at length amicably settled. The congregation to which "Blind Jo" ministered embraced a goodly number of attendants; as did also a distinct congregation under the ministry of William Apes. The former was a native of Mashpee, blind from his birth, twenty-eight years of age at the time, having been born in 1806. Educated wholly by ear and memory, he was recognized by the Baptist denomination with whom he fellowshipped, as a regularly ordained minister. The church of which he was pastor was organized in 1830. It has been said that "there was much to admire in his simple piety and sound teaching, and that he found a way to the hearts of his hearers, unexplored by many learned divines." Mr. Apes was pastor of a church known by the appellation of "The Free and United Church." In these two churches, were some fifty members in good standing; the result of three years. — After the act establishing religious liberty in Mashpee, making the district a parish, with all the rights of parishes and religious societies, the Indians took possession of their meeting house and parsonage lands, and for the first time chose their own minister.¹

know that this power was ever abused; but the restrictions were, of course, exceedingly irksome, and had ever been regarded as oppressive. — We may here add that in the proceedings had before the legislature, numbers of the petitioners were examined before committees to test their capacity. Their delegation had also the use of the Hall of Representatives, to make public statements of their situation and wants, and were respectfully and attentively listened to by a crowded audience.

¹ Rev. Mr. Fish, in 1840, became the pastor of a Congregational

In April, 1835, an appropriation was again made of one hundred dollars, to be paid annually from the State school fund, for public schools in Mashpee.¹ The affairs of the District have been for some time satisfactory for the most part to all concerned,² and the condition of the people has much improved. By the census of 1850, their number was only two hundred and two; still they are the largest remnant of any Indian tribe in New England, if we except the Indians on the Penobscot.

It falls not within our province to go farther into the affairs to which we have alluded, leading to the new organization of the Mashpee tribe. The whole is of too recent occurrence. Less we could not record in faithfulness; more need not be written. A volume published by William Apes, in 1835, is before the pub-

Church at Coattuit, his ministry being among those who had formerly attended the Indian meetings at Mashpee. He was son of Jonathan of Sandwich; was b. Jan. 30, 1785; grad. H. C. 1807; ord. Sept. 18, 1812; and d. June 16, 1854, æ. 69.

¹ We are reminded by those conversant with the affairs of the District, that "there have been other appropriations for schools," and that now, 1859, the Indians "receive \$165 from the school fund, and also interest on some portion of the public revenue." — In 1855, there were 105 children in the District of suitable age to attend school, in the two school districts. The appropriation for schools was on the condition that the inhabitants shall annually raise \$75 to be appropriated in the same manner.

² The only exception is that in 1853, the Indians petitioned the legislature to be relieved from the supervision of a Commissioner. That office was abolished, and a Treasurer, who keeps and pays out their money on orders of the selectmen, and has no other power, is the only officer appointed by the Governor and Council, and not chosen by themselves. They petitioned at that time to have permission to recommend the person they should choose for Treasurer, subject to approval or rejection by the Governor and Council; but this provision, reported in the original bill, did not pass.

lic; which, with the legislative proceedings, and the news-journals of the day in which these matters were rife, may enable the reader to possess himself at least with the gist of the whole controversy. The relation of the Commonwealth to the Mashpees, which began with our colonial history, is one of interest to the legislator and the philanthropist.

The legislature have continued to exercise a parental care over the Indians since 1834, and have enlarged the rights of the people of the District as far and as fast as they have desired. By the act of 1842, their lands which before were held in common, were to be partitioned among the proprietors, in lots of sixty acres to each male or female proprietor — each owner having his or her deed duly recorded. The act embraces every original Indian and mulatto proprietor and their descendants, together with all who have married a proprietor, and every person of Indian descent whose parents or ancestors, or himself, had been residents for twenty years on the plantation. This partition was made and adjusted in open meeting, with the concurrence of the people of the District, embraced all the inhabitants, and conveyed all rights of fee and of sale and conveyance except to persons not inhabitants — a limitation always desired by themselves. The proprietors now own their several property, and have all the civil and political rights of citizens of the Commonwealth, except that, at their own desire, they are exempted by law from the payment of state and county taxes and their lands are not liable to be taken in execution.

That the Mashpees have continued so long in occupancy of a portion of their hereditary domain, shows at least that there has been a disposition on the part of

their white neighbors to extend to them a larger degree of the indulgence due to humanity, than has been meted out to most tribes; for the course taken by the white man has generally, in other parts of our country, been summary and exterminating.

Gloomy and disheartening was the situation of the first settlers in Plymouth; but "Welcome, Englishman!" was the cordial greeting of the native. No advantage was taken of the paucity of the numbers of the first comers, or of their weakness. The hospitality of the Indians was generous and free. Especially was this true of the Cape Cod Indians. No serious trouble was ever occasioned by them.¹ They were gentle, they

¹ The nearest approximation to it that we find recorded is, June 11, 1696, when Gov. Stoughton issued a proclamation commanding "Joseph Daniel and two other Indians convicted of divers enormities and trespasses," and who "lie hid, and skulking about, living upon rapine and spoil, threatening the lives of any that shall be sent to apprehend them," to surrender themselves "to some justice within 15 days, or be treated as enemies and proceeded against as such." The said Daniel was seized by Sheriff Bassett the following Feb'y—for which the sheriff was allowed £5, and the Indian was condemned "to be transported beyond the sea as a dangerous person, and sold."—One other instance occurs, Sept. 6, 1717; certain "Indians in Barnstable and Plymouth Counties having taken themselves to the woods and there living by theft, Joseph Lothrop and Isaac Lothrop, sheriffs of the Counties Barnstable and Plymouth, are ordered to take a posse and seize them; but in all emergencies to advise first with the chief."—It is remarkable that not a single act of hostility ever took place within the limits of the county, between the planters and the natives; and that the Cape Cod Indians were so generally, at all times, on terms of cordiality and friendship with the English settlers. Nor is it less remarkable that so few instances of crime on the part of the Indians have demanded the action of the courts. No execution of an Indian ever occurred in this county. The only instance that we find of an Indian born on the Cape suffering the penalty of death, was the execution of Moses Paul, at New Haven, Sept. 2, 1772. The Pauls were

were faithful, they were kind. If, in any respect, at any time, they became corrupted from their pristine simplicity, the change should be attributed to the right cause.

That in his simple condition as he existed previous to the contaminating contiguity of the white man, the Indian was as naturally formed for the wilderness as the Arab for the desert, there can be no doubt. He was unsophisticated, stern, and enduring, prepared to grapple with difficulties, or to endure privations. The wildness of the scenery around him, was in keeping with all his tastes; and come what might, if he was free he was happy. The character of the Indian, we may be pardoned if we remark, has not often been sufficiently considered in estimating our *duty* towards him. There has too generally seemed to those unacquainted with his inner man, but little soil in the heart for the kindly virtues. Yet they who have taken the pains to penetrate that stoicism and taciturnity which were the prominent characteristics at first noticeable, and which locked up, as it were, from the superficial observer, his

among the Indians of Truro; but this Moses seems to have been "born in Barnstable in 1742." From "a sermon preached at the execution of Moses Paul for the murder of Moses Cook late of Waterbury, Dec. 7, 1771, by Samson Occum, Indian minister of the gospel and missionary to the Indians," we learn that "Paul's father died at the siege of Louisburg, 1745, and that Paul's mother was a constant attendant on meeting at Barnstable." When 5 years old, he was apprenticed to John Manning of Windham, Ct., and was with him 14 or 15 years and learned to read and write. He then enlisted in Col. Putnam's regiment; after the campaign went to sea several years both in the merchant service and in ships of war; then roved from place to place until at last under the influence of liquor he quarrelled in a tavern and struck a stranger who had stopped there, inflicting the injury of which he died.

full character, have not failed to find the Indian linked with his fellow-man of civilized life by such sympathies and affections as are rarely ascribed to him.¹

¹ Great injustice has been done to the Indians in the general estimate and popular impression of succeeding ages concerning them. The Indian has had no advantage of faithful records of his own times, or of a native literature to portray the early virtues of his race.

"O'er him no filial spirit weeps :
By foes alone his death-song must be sung ;
No chronicles but theirs to tell
His mournful doom, to future times."

But if we go back to a period when the influence of the white man had not already inaugurated a fearful and rapid deterioration of the race, the invincibility of prejudice can hardly fail to be somewhat shaken by the incidental testimony even of his oppressors. *Bancroft*, (Hist. U. S.,) in speaking of the Roanokes, says, upon the authority of such testimony given in 1654, "The gentleness of the tawny inhabitants appeared in harmony with the loveliness of the scene ; the desire of traffic overcame the timidity of the natives ; the English received a friendly welcome, and were entertained with the refinements of Arcadian hospitality ;" — and further, upon the authority of *Sir Walter Raleigh*, "The people were most gentle, loving and faithful, void of all guile and treason, and such as lived after the manner of the golden age." — The traits thus prominent, it is not presuming too much to suppose, corroborated as the presumption is by collateral testimony, were very much the character of the New England natives. *Wood*, who was in Lynn in 1629 and, after a residence of four years in New England published in London the results of observations made too late to see the natives in their best estate, (for the influence of the white man had penetrated among the tribes from the farthest north to the shores of Cape Cod, long before the settlements of New England were begun,) speaks of those he saw, on this wise: "They are black-haired, out-nosed, broad-shouldered, brawny-armed, long and slender-handed, out-breasted, small-waisted, lank-bellied, well-thighed, flat-kneed, with handsome grown legs and small feet." He speaks also of their "unparalleled beauty ;" nor is he content with this, but adds, "more amiable to behold, though only in Adam's livery, than many a compounded fantastic in the newest fashion." — *Lechford*, who was in Boston in 1638, says in his work pub. 1642 in London,

The proud independence which formed the main pillar of savage virtue once fallen, is it strange if the whole moral fabric should be laid in ruins! The spirit debased and humiliated by a sense of inferiority; its native valor cowed by superior knowledge and power; it were a miracle if the native strength did not become enervated, and the indulgences and low vices of artificial life did not follow. "Though, as the smoke of the settlements thickens around him, and the sound of the axe is heard clearing up his native forests, he may linger around the graves of his fathers, he soon becomes the mere wreck of what he once was; and instead of powerful tribes treading the forests and fishing in all waters, his race become vagabonds. As their wants

"The dress of the men in summer consists of deer-skin, or seal, around the waist; and, in winter, robes of bear or wolf-skin, with moccasins of moose-skin. The dress of the women, robes of beaver with sleeves of deer-skin drest and ornamented; buskins fringed with feathers; and a fillet round the head adorned with plumes." He adds, "The Indesses that are young, are some very comely." This was, as will be perceived, more than a century before the remark of Mr. Hawley to which we have alluded, p. 684, concerning "the Indians who had lost their independence." — *Josselyn*, who was in N. Eng. 1663, says in his *N. Eng. Rarities* pub. 1672, Lond., "The women have very good features, seldom without a come-to-me in their countenance, all black-eyed, teeth very white, hair black, thick and long; broad-breasted, handsome straight bodies and slender, limbs cleanly straight, generally as plump as a partridge, and, saving now and then, of a modest deportment." — Numerous instances of their hospitality, their kindness, their noble bearing, might be cited; nor after their associates had been shot, burned, hanged, beheaded, "sold into foreign parts as slaves," or the miserable few that were suffered to survive these catastrophes had become outcasts from the pale of humanity to go down to their graves in degradation, were there wanting instances to prove their noble origin. "Their kindness and generosity to their friends know no limits," has been the testimony of every impartial observer.

multiply, the subsistence becomes precarious. A few bawbles have secured to another people their choicest possessions. The tempter, in the shape of 'fire-water,' finds easy access to soothe his griefs by exhilarating his spirits; but still a canker is corroding his soul, and at last the free and noble nature he inherited is shattered down. His race become the shadows only of what they once were. As vagrants around the dwellings of their invaders, they are stung by the thought of their fallen condition. The table of plenty is spread before their eyes; but the crumbs only are their portion. Fields wave with rich abundance; they starve. The wilderness blossoms; they are no longer its lords, but regarded as reptiles or wild beasts that infest it. So changed is their state! Once they were free and happy! They would then share their last meal with the stranger, though they themselves should hunger. They were 'like plants that flourish in the shadow of the forests, but shrink from the hand of cultivation, and die beneath a burning sun.'

But why, it may be asked, has Christianity not done more for them? Why have they been so slow to exhibit its ameliorating influences? Perhaps a solution of these questions may not be most honorable to the Christian world. See the native once moving rigidly by rules peculiarly his own; his conduct regulated by general maxims; his moral laws few, but sure. He is at last brought in contact with those whose precepts of religion, morals, and manners, are superior. He acknowledges their professed principles of action appear to be good. But, alas! does he find those who profess these high principles conform to them? Is he a keen discerner of the difference between profession and practice? Does he find a race of men

called civilized and Christian, who are cold, distrustful, grasping, insulting, oppressive, exhibiting nothing of the confidence and frankness that are indispensable to real friendship? Why should he *not* stand in doubt of their principles?¹

But, alas! the day is passed when, in New England, a great object which the applicants for a charter professed to have at heart — “the conversion of the poor heathen Indians” — can be reached. They are almost extinct. If any good for them has been effected, we rejoice. If any drop of their blood still lingers in the veins of any, let them be kindly dealt with, at least; and let not the tribe which is yet though faintly represented on Cape Cod, be left either to expire through neglect, or be driven from earth by man’s oppression.

¹ Hennepin, in 1643, represents the “Three-river Indians of Canada,” as saying, “While we had beaver and furs, the missionary prayed with us; but when our merchandise failed, they thought they could do us no further good:” a stinging sarcasm that may have many appliances.

CHAPTER XXIX.

Statistics. — Government. — Representatives to Congress. — State Senate.
 — Massachusetts House of Representatives. — Courts of Justice. —
 Qualification of Civil Officers. — Probate. — Deeds. — Treasurer. —
 Clerks. — County Attorney. — High Sheriff. — Coroners. — Military.

BEFORE concluding our general view of the Cape, and entering upon the annals of the several towns particularly, we must advert to some general features of its history, and gather up some statistical facts of political importance, that we are sure will not be deemed irrelevant or uninteresting.

An integral part of the Old Colony of Plymouth from 1637, when the first settlement of permanency on the Cape commenced, these towns and their inhabitants were, of course, for a long time under the government and jurisdiction of the Plymouth Court. This state of things continued until 1692, except during the interruption by Andros, which occurred in the time of Governor Hinckley's administration.¹ We

¹ The Governors were:—

John Carver, 1620 to his death in 1621.

William Bradford, 1621 to 1632, 1635, 1637, 1639 to 1643, 1645 to 1657, and d.

Edward Winslow, 1633, 1636, 1644.

Thomas Prince, 1634, 1638, 1657 to 1672, and d.

Josiah Winslow, 1673 to 1680, and d.

Thomas Hinckley, 1680 to 1692.

The Assistants, from the Cape, have been mentioned with sufficient

think it may be conceded that the Cape bore its full share of administrative labor and responsibility; and the manner in which those duties were discharged, compares favorably with the parts that were assigned to other portions of the colony.

When included in the Massachusetts charter, a new order of affairs commenced; and, the appointments being in the right of the Crown, the appointees were selected as regal favor dictated.¹ When, in 1776, Boston was evacuated, public affairs were under the direction of a Council during the recess of the General Court, until Oct. 25, 1780, when the new Constitution went into operation, and the Government was elected

particularity in preceding pages. That only 6 held the office of Governor during a period of 71 years, has been regarded as, of itself, legitimate — certainly the fact is presumptive — evidence “that they pitched upon men of virtue and well-qualified to sustain the office.” The same may be inferred in regard to the Assistants, from the terms of their continuance in office.

¹ The Government was thenceforward, until the revolution was fairly commenced, as follows:—

Governors.

1692. Sir William Phips.
1699. The Earl of Bellamont.
1702. Joseph Dudley.
1716. Samuel Shute.
1728. William Burnet.
1730. Jonathan Belcher.
1740. William Shirley.
1757. Thomas Pownal.
1760. Francis Bernard.
1770. Thomas Hutchinson.
1774. Thomas Gage.

Lt. Governors.

1692. William Stoughton.
1702. Thomas Povey.
1711. William Tailer.
1716. William Dummer.
1730. William Tailer.
1732. Spencer Phips.
1758. Thomas Hutchinson.
1770. Andrew Oliver.
1774. Thomas Oliver.

Gage having left in 1775, the Lt. Gov. and Mandamus Council presided until the evacuation of Boston, March 17, 1776.

by the people.¹ Under the Constitution of the United States, providing a National Government, vesting all delegated legislative powers in a Congress, the executive power in a President, all powers not delegated reserved to the States respectively or to the people, we began to participate in perpetuating the present form of general government designed as a bond of union and a conservator of the immunities of each and every

¹ The election and succession of Govs. and Lt. Govs. under a State Constitution has been:—

<i>Governors.</i>	<i>Lt. Governors</i>
1780. John Hancock.	1780 Thomas Cushing.
1785. James Bowdoin.	1788. Benjamin Lincoln.
1787. John Hancock	1789. <i>Samuel Adams.</i>
1794. Samuel Adams.	1794. <i>Moses Gill.</i>
1797. Increase Sumner.	1801. Samuel Phillips.
1800. Caleb Strong.	1802. Edward H. Robbins.
1807. James Sullivan.	1807. <i>Levi Lincoln.</i>
1809. Christopher Gore.	1809. David Cobb.
1810. Elbridge Gerry.	1810. William Gray
1812. Caleb Strong.	1812. William Phillips.
1816. John Brooks.	1823. Levi Lincoln.
1823. William Eustis.	1824. <i>Marcus Morton.</i>
1825. Levi Lincoln.	1826. Thos. L. Winthrop.
1834. John Davis.	1833. <i>Sam'l T. Armstrong.</i>
1836. Edward Everett.	1836. George Hull.
1840. Marcus Morton.	1843. Henry H. Childs.
1841. John Davis.	1844. John Reed.
1843. Marcus Morton.	1851. Henry W. Cushman.
1844. George N. Briggs.	1853. Elisha Huntington.
1851. George S. Boutwell.	1854. William C. Plunkett.
1853. John H. Clifford.	1855. Simon Brown.
1854. Emory Washburn.	1856. Henry W. Benchley.
1855. Henry J. Gardner.	1858. Eliphalet Trask.
1858. Nathaniel P. Banks.	

Those Lieutenant Governors whose names are in Italics were Governors *pro tempore* — acting as such, *ex officio*, in consequence of the resignation or decease of the incumbent duly elected to that office.

sovereign State in particular; and which form of government has been generally pronounced "the best that the world ever knew."¹

Owing to the system that has prevailed of districting the Commonwealth for electoral purposes, it could not in equity, of course, fall to the Cape to furnish from its own limits, at all times, the REPRESENTATIVE TO CONGRESS. Those from this county who have filled the office since

¹ The American Presidents have been:—

	Where born.	Date of Birth.	Term of Office.	Age when term expired.	Died.
George Washington,	Va.	Feb. 22, 1732.	1789 to 1797.	66	Dec. 14, 1799.
John Adams,	Mass.	Oct. 19, 1735.	1797 to 1801.	66	July 4, 1826.
Thomas Jefferson,	Va.	April 2, 1743.	1801 to 1809.	66	July 4, 1826.
James Madison,	"	March 5, 1751.	1809 to 1817.	66	June 28, 1836.
James Monroe,	"	April 2, 1759.	1817 to 1825.	66	July 4, 1831.
John Q. Adams,	Mass.	July 11, 1767.	1825 to 1829.	62	Feb. 23, 1848.
Andrew Jackson,	S. C.	March 15, 1767.	1829 to 1837.	70	June 8, 1845.
Martin Van Buren,	N. Y.	Dec. 5, 1782.	1837 to 1841.	59	
William H. Harrison,	Va.	Feb. 9, 1772.	1841 —	69	April 4, 1841.
John Tyler,	"	March 29, 1790.	1841 to 1845.	55	
James K. Polk,	N. C.	Nov. 2, 1795.	1845 to 1849.	54	June 15, 1849.
Zachary Taylor,	Va.	Nov. 24, 1784.	1849 to 1850.	65	July 9, 1850.
Millard Fillmore,	N. Y.	Jan. 7, 1800.	1850 to 1853.	53	
Franklin Pierce,	N. H.	Nov. 23, 1804.	1853 to 1857.	53	
James Buchanan,	Penn.	April 13, 1791.	1857 —		

Although it may seem at first view, as it must be confessed it is, in one sense, *foreign* to the subject we have in hand, yet it may not be entirely uninteresting to contemplate in close proximity the "parent government" during all the period from the days of Gosnold and the subsequent beginning of settlements here, to the time of the emancipation of these colonies from the dictation of a foreign power:—

James I. began to reign	March 24, 1603,	reigned	y. m. d. 22 0 3,	and d. æ. 58, of ague.
Charles I.	" March 27, 1625,	"	23 10 3,	" 48, beheaded.
Cromwell.				
Charles II.	" Jan. 30, 1649,	"	36 0 7,	" 54, of apoplexy.
James II.	" Feb. 6, 1685,	"	3 10 5,	" 67, course of nature.
Mary II.	" Feb. 13, 1689,	"	5 10 15,	" 39, of small pox.
William III.	" " "	"	13 0 20,	" 52, by fall from a horse.

Thus far, the union of the crowns of England and Scotland.

Anne began to reign	Mar. 8, 1702,	reigned	y. m. d. 12 4 24,	and d. æ. 49, of apoplexy.
George I.	" Aug. 1, 1714,	"	12 10 10,	" 67, of paralytic attack.
George II.	" June 11, 1727,	"	33 4 14,	" 77, suddenly.
George III.	" Oct. 25, 1760,	"	59 3 4,	" 82, course of nature.

The four last, by union of the parliaments of England and Scotland.

the introduction of the Federal Constitution, 1789, have been as follows:—

Shearj. Bourne, elected first, 1791, served 2d and 3d Congresses.
 Nathaniel Freeman, Jr., “ 1795, “ 4th and 5th “
 Isaiah L. Green, “ 1805, “ 9th to 12th incl.
 John Reed, “ 1813, “ 13th, 14th, 17th to 26th incl.
 Zeno Scudder, “ 1851, “ 32d and 33d.¹

Those who, since the adoption of the State Constitution, have represented the county in the SENATE of the Commonwealth, were:—

1780. Solomon Freeman, H. 19 yrs.	1842. Solomon Davis, T. 4 yrs.
1788. Thomas Smith, S. 1 “	1843. John B. Dillingham, S. 2 “
1798. David Thacher, Y. 1 “	1846. Zeno Scudder, ⁴ Be. 3 “
1801. John Dillingham, H. 5 “	1846. Barnabas Freeman, E. 2 “
1804. Richard Sears, C. 1 “	1848. George Copeland, Br. 2 “
1806. James Freeman, S. 2 “	1849. John Jenkins, F. 2 “
1808. Joseph Dimmick, F. 3 “	1850. Stephen Hilliard, P. 2 “
1811. Timothy Phinney, Be. 1 “	1851. Zenas D. Bassett, Be. 2 “
1813. Wendell Davis, S. 2 “	1852. Cyrus Weeks, H. 2 “
1815. Solomon Freeman, Br. 6 “	1853. James B. Crocker, Be. 2 “
1821. Elijah Cobb, Br. 2 “	1854. Robert Y. Paine, W. 1 “
1823. Braddock Dimmick, F. 3 “	1855. Sylvester Baxter, Y. 2 “
1826. Nymphas Marston, Be. 2 “	1855. Lewis L. Sellew, P. 1 “
1828. Elisha Pope, S. 4 “	1856. Alfred Kenrick, O. 1 “
1831. ² John Doane, O. 3 “	1857. John W. Atwood, C. 2 “
1834. Charles Marston, Be. 7 “	1857. Charles F. Swift, Y. 2 “
1841. Seth Crowell, ³ D. 2 “	

By the act of 1857, dividing the State into forty districts for the choice of senators, the integrity of the county as a senatorial district, was destroyed.

Delegates to the General Court at Plymouth, and Representatives to the popular branch of the State

¹ Thus, the Cape furnished one of its own citizens for 22 of the first 33 Congresses.

² The change of the political year from May to January causes the anomaly of different persons filling the office the same year.

³ At this time commenced the sending of two senators from the county.

⁴ Presided in 1848.

Legislature,¹ preceding the institution of a Senate more than a century and a half, were, for a long course of years, evidently chosen with great regard for their sound judgment and exemplary character. These considerations were paramount.²

An important part of the history of this county, is the constitution of its COURTS OF JUSTICE. On this subject, we wish it were in our power to speak with that perfect fulness which its importance demands.³ The account we may give may be relied on for accuracy, as far as it shall be presented; and for fulness with possibly some very few omissions that it is impossible at this day to supply.⁴

The *judicial* as well as the legislative and executive business of the Plymouth Colony, was, at first, for several years, performed by the whole body of freemen in

¹ A list of the "Delegates" and "Representatives" of each town will appear in connection with the annals of towns.

² We make this remark as a historical fact worthy of record and palpable to every candid examiner, uninfluenced by the sometimes expressed opinion that as the country advances in importance and strength less regard is had for qualifications of high order than in the good old days of the Commonwealth, whether in the selection of candidates for the national or state legislatures or other offices. It may not, however, be overstepping the limits of duty to say that, in our humble opinion, the manner, now perhaps universal in the States, of nominating by conventions composed of delegates chosen by preliminary caucuses as generally constituted, is not most favorable to claims of the very highest order, moral, intellectual, or patriotic.

³ We have taken unwearied pains to bring to the light all that can directly or indirectly aid in the investigation.

⁴ After the attempts of a learned jurist to elucidate this subject, and the imperfect result as respects the "courts in Barnstable County," we were almost deterred from further investigation; but, acknowledging our obligations to him for the interesting data he collected, we became satisfied that the learned gentleman had yielded the case too soon. See "History of the Judiciary of Mass., by Emory Washburn."

assembly. In 1634, the Governor and Assistants were constituted a judicial court, and soon became the supreme judicature. The selectmen of towns were then authorized to try petty offences, there being the right of appeal to the Court of Assistants. The House of Delegates, on coming into existence in 1639, as a second branch of the chief civil power, shared with the Governor and Assistants the judicial authority. Then, began subordinate jurisdictions exercised by individual magistrates — the commissioners of towns — and county courts. The legislative, executive, and judiciary functions were for a long time singularly combined or intermingled, and the powers of each were vague and indefinite. The records furnish but very meagre data for a perfect view of these transactions. Beyond a few isolated facts, — such as that, in 1640, “Mr. Edmund Freeman of Sandwich, Mr. Thomas Dimock of Barnstable, and Mr. John Crow of Yarmouth, were constituted a court to try all cases involving not more than twenty shillings, in these three towns;” and that “a court was held at Yarmouth the 18th day of June, the 17th year of the reign of our sovereign lord Charles, &c., i. e. 1642, before Edward Winslow, Myles Standish, and Edmund Freeman, gent., three of the Assistants;” there is little or nothing to be found except the establishment of *Select Courts* in each town or jurisdiction,¹ until the order, 1686, that “where there is not a sufficient number of magistrates² in any county, associates shall

¹ Established in 1679, (see page 299,) those commissioned to hold them, being in Sandwich, Edmund Freeman, John Blackwell, and Thos. Tupper; in Yarmouth, Edm'd Howes, Ensign Thacher, Edw'd Sturgis, John Miller, and Jeremiah Howes; in Barnstable, Joseph Lothrop, James Lewis, and Barnabas Lothrop; and in Eastham, Jonathan Sparrow, Mark Snow, and John Doane.

² Assistants.

be chosen annually, who shall sit in the county courts with the magistrates and have the power of magistrates in their respective counties;" and, in 1689, the appointment of Mr. Jonathan Sparrow of Eastham, and Mr. Stephen Skiffe of Sandwich as county judges.¹ The act of 1687 establishing courts, and that under the charter, Nov. 25, 1692, were not very dissimilar.²—Under the charter, or, what is the same, after the Union, appointments began to be made to the *Inferior Court of*

¹ The associate courts which came into existence in 1685-6, when counties were formed, were discontinued under Andros, but revived in 1689. Andros' plan, as appears by an "Act for establishing Courts of Judicature and Public Justice," March 3, 1687, was: First, Just. Pac. to have civil jurisdiction in all matters of debt, trespass, &c. where the claim did not involve the title to lands, nor exceed 40 shillings in amount. Second, The next court in rank, the Quarterly Sessions, held by the several justices in their respective counties, was charged with the conservation of the public peace and the punishment of offenders. Third, An Inferior Court of Common Pleas, to be holden in each county by a judge assisted by two or more justices of the county, the jurisdiction to extend to all civil causes the amount in controversy not exceeding £10 and no question of freehold involved. Fourth, A Superior Court of Judicature having jurisdiction over all civil and criminal matters in the colony, either original or by appeal; but no action to be commenced in this court for the recovery of less than £10 unless a question of freehold be involved in the suit. Fifth, A Court of Chancery, as of the High Court of Chancery in England.

² This act provided for Justices of the Peace, Quarter and General Sessions of the Peace, Inferior Ct. of Com. Pleas, Superior Ct. to consist of a chief and four associates, and a Court of Chancery. This latter court was abolished, 1699. It is probable that until 1702, the organization of the courts known as Associate was continued—as established in Plymouth and Bristol Counties in 1685; assuming the name of Cts. C. P. during Andros' administration.—It may here be remarked, as, indeed, we have before hinted, that the power of establishing courts of justice was at the first assumed by the colonists without any grant of authority in their charter. The necessity of such tribunals, however, is obvious.

Common Pleas.¹ Some vacillation in regard to these courts seems at first to have marked the public mind; for, July 15, 1696, it was "ordered in General Court that justices be advised of the repeal of the act establishing judicatories and courts of justice," &c.; and again, Oct. 8, "the General Assembly having revived the act," &c., it was "ordered that the court be restored," &c. — leading to the issuing of a new commission, Oct. 16, to Barnabas Lothrop, John Thacher, Stephen Skiff, and Jonathan Sparrow. The practice also of appointing Special Justices was early introduced. We give the accession to the bench of the Court of Common Pleas from time to time as a record not only appropriate, but furnishing an interesting view of some of the active public men of succeeding generations. The appointments were: —

Dec. 7, 1692. John Freeman, E. ²	July 20, 1711. John Gorham, Be.
“ “ Bar’s Lothrop, Be.	July 5, 1713. John Doane, E. ⁵
“ “ John Thacher, Y.	“ “ Dan’l Parker, Be. ⁶
“ “ Stephen Skiff, S.	“ “ Thos. Payne, E. ⁶
Mar. 6, 1695. Jon’n Sparrow, E. ³	John Otis, Be. ⁷
July 17, 1699. John Sparrow, E.	Sam. Annable, Be. ⁷
June 8, 1710. Wm. Bassett, S. ⁴	

¹ It must be noted that most of these appointments were renewed from time to time — some, often.

² Maj. Freeman had been one of the Assistants of the Plymouth Government, and was an aged man.

³ This appointment was on this wise: "to be Justice of our Inf. Ct. of Com. Pleas, &c. in place of John Freeman Esq. who through infirmities of age is rendered incapable further to attend this service."

⁴ A note is affixed to the Council record to this effect: "Recommended that another be chosen in his place as clerk of Inf. Ct."

⁵ Gov. Washburn says "he was appointed in 1736." It may be that he was then reappointed; but his *first* appointment was the above date.

⁶ Mr. Parker who was again commissioned, April, 1715, as were also Mr. Thos. Payne and Mr. John Otis, d. in office, Dec. 23, 1728, æ. 59.

⁷ It does not clearly appear at what time either Mr. Otis or Mr.

July 14, 1715. Mela'h Bourne, S. ¹	June 22, 1736. John Davis, Be. ⁶
“ “ Sam'l Sturgis, Be. ¹	Dec. 21, 1739. John Russell, Be. ⁶
Dec. 10, 1715. Nath. Freeman, H.	Jan. 27, 1742. Shub. Gorham, Be.
Nov. 14, 1721. Jos. Lothrop, Be. ²	“ “ Dav. Crocker, Be. ⁷
Mar. 16, 1722. Jos. Doane, E. ²	Aug. 9, 1746. John Otis, Be. ⁸
Dec. 26, 1727. Ezra Bourne, S. ³	Sept. 13, 1753. Thos. Winslow, H. ⁹
Apr. 10, 1729. Peter Thacher, Y. ³	June 2, 1758. Sylv. Bourne, Be. ¹⁰
“ “ Shub'l Baxter, Y. ⁴	Aug. 3, “ Thos. Smith, S. ¹¹
June 22, 1736. John Thacher, Y. ⁵	

Annable were first appointed; but as the next named appointees, Messrs. Bourne and Sturgis, were commissioned as “Justices of the C. P. with Daniel Parker and Thos. Payne two of the standing justices, for the trial of a case between Thos. Howes and Judah Paddock vs. John Otis and Samuel Annable the other two standing justices;” and, as Mr. Otis was again commissioned, April, 1715, a presumption arises that he had been some years in office; and the probability is that, as he was acting as Chief Justice in 1714, and from that time at least till his death, 1727, his appointment was earlier than the order of succession here indicated. Mr. Annable's name does not again occur.

¹ Mr. Bourne was again com., March 16, 1721, a “special” justice “in all cases where the school lands are concerned;” and again, Dec. 5, 1724, with Messrs. Sam'l Sturgis and Nath'l Freeman “in all cases where any of the standing justices may be parties or on other accounts disabled.” The inference is that neither was one of the regular Associate Justices.

² Mr. Lothrop was appointed “in the room of Thos. Payne dec. ;” and Mr. Doane was appointed “Special Justice.”

³ Mr. Thacher was Chief Justice in 1731; afterwards, Mr. Bourne.

⁴ Mr. Baxter was appointed “Special Justice;” and Justice 1731.

⁵ Mr. Thacher was youngest son of Judge Peter; also Col., and Reg. Deeds.

⁶ “Special Justice.”

⁷ “Spec. Just.” 1742; and Just. 1748. He d. 1764.

⁸ Son of Col. John. He d. 1756.

⁹ Continued to the Rev.

¹⁰ Col. Bourne was son of Melatiah of S. He was also Judg. Prob., and Chf. Just. C. P. at the time of his decease.

¹¹ Dr. Smith was app. “Spec. Just. ;” and “Just.” 1764; continued to the Rev., and then re-app.

Dec. 19, 1758. Row. Robinson, F.¹ Feb. 1, 1764. Edw. Bacon, Be.⁴
 May 23, 1760. Ny's Marston, Be.¹ June 20, 1765. John Gorham, Be.⁵
 Feb. 24, 1763. Roland Cotton, S.² May 9, 1770. Is'e Hinckley, Be.⁵
 Feb. 1, 1764. James Otis, Be.³

To the preceding, doubtless, should be added —

Melatiah Bourne,	Solomon Otis,	Daniel Davis,
Shearjashub Bourne,	Kenelm Winslow,	Joseph Otis, and
David Gorham,	David Thacher,	Richard Bourne,

who are known to have been connected with the court at the time of its interruption by revolutionary proceedings in 1774. Early this year a change was made in the mode of appointing judges,—conferring the power on the Governor alone; the election of councilors being at the same time taken from the legislature and assumed by the Crown, the appointment being by “mandamus” — which gave rise to the highly offensive term that conferred no enviable notoriety upon those whom the king undertook thus to honor,—the entire proceedings were regarded with disfavor.

The first commissions issued in the name of “the government and people of Massachusetts Bay,” were, in Barnstable County, to judges of the Common Pleas, as follows:

Oct. 11, 1775. James Otis, Be. ⁶	Oct. 11, 1775. Nath. Freeman, S. ⁷
“ “ Daniel Davis, Be. ⁷	“ “ Rich'd Baxter, Y. ⁷

¹ Mr. Rowland Robinson and Mr. Nymphas Marston were “Spec. Justs.” The latter was in office to the Rev.

² Col. Cotton was app. Spec. Just., and in 1763, Just.

³ Col. Otis succeeded Hon. Sylvanus Bourne as Chf. Just. He was also Judge Prob., &c.

⁴ Mr. Bacon was app. to succeed Judge Thacher, dec'd, and was continued to the revolution.

⁵ Messrs. Gorham and Hinckley were app. “Special Just.” The latter held the office at the opening of the revolution.

⁶ Col. Otis was app. Chief, as before the existing new order of things.

⁷ Mr. Davis, Col. Freeman, and Mr. Baxter, Associates. Col. Freeman became Chief Justice, March 27, 1781.

The appointments that followed were :—

Oct. 13, 1775, Joseph Nye, Jr., S. ¹	Feb. 14, 1803, Sam'l Waterman, W. ³
Mar. 27, 1781, Sol. Freeman, H. ¹	Feb. 20, 1804, Thomas Thacher, Y. ⁴
Mar. 21, 1793, John Davis, Be. ²	Feb. 22, 1809, Isaiah L. Green, Be. ⁴
June 28, 1799, Ebenezer Bacon, Be. ³	“ “ Timothy Phinney, Be. ⁴
Feb. 11, 1801, David Scudder, Be. ³	Aug. 22, 1809, Wendell Davis, S. ⁴

After the establishment of the *Circuit Court* of Common Pleas,⁵ commissions were issued June 10, 1814, to Richard Sears of C. ; and Feb. 15, 1815, to Calvin Tilden, Y., as “Session Justices for the County.”⁶

The early establishment of courts of Quarterly Sessions of the Peace, called in the act of 1699, *General Sessions of the Peace*, and in that of 1782 Courts of General Sessions, we may not notice with great partic-

¹ Special Justices.

² Dr. Davis was Special Justice ; afterwards Associate.

³ Mr. Bacon, Mr. Scudder, and Mr. Waterman were appointed Special Justices, but became Associates, the former in 1801, the next in 1803, and the last 1804.

⁴ Special Justices.

⁵ Before taking our leave of the old Court of C. P. let us note an incident characteristic of revolutionary times, that was recently brought to our notice by an eminent jurist of the present day. He relates that when the first judges appointed by “the Government and People of Massachusetts Bay,” Oct. 11, 1775, took their seats, a relic of royalty remained conspicuous in the court house at Barnstable — his majesty’s arms — which the English Commissioners, when they visited New England in 1665, had required should “be set up in every court of justice.” Before proceeding to business, the court, at the suggestion of Col. Freeman, ordered that the offensive emblem be removed from the court house, and burned by the common hangman. This was, we believe, the only instance of *capital execution* ever known within the county.

⁶ The instances of the appointment of *special* justices to act, as occasion might require, in the place of the established ones, were early and numerous ; and generally the same persons held from year to year, as if their office had been permanent. Nor was the practice confined to the Inferior Courts. Instances are found more than a

ularity. The destruction by fire of the court records in 1827, leaves us without data for the purpose. Those who, in the last half century, are noted as connected with this court, are :—

Nath'l Freeman,	S. Chf. Just.		Richard Sears,	C.	Just. 1816.
John Davis,	Be. " "	1811.	Calvin Tilden,	Y.	" "
Joseph Dimmick,	F. Just.	1808.	Sam'l P. Crosswell,	F.	" 1819.
James Freeman,	S. " "	" "	Elijah Cobb,	Br.	" "
Samuel Freeman,	E. " "	1811.	Elisha Doane,	Y.	" "
Isaiah L. Green,	Be. " "	1812.	Naler Crocker,	Be. Sp. Jus.	1822.
Sol'n Freeman,	Br. " "	" "	Melathia Bourne,	S.	" "

The Courts of Sessions and Commissioners of Highways being abolished, a Board of County Commissioners were established, the first appointments being in 1829:—

Samuel T. Crosswell, Chairman.	John Freeman, Special Comm'r.
Matthew Cobb, Commissioner.	Orren Howes, " "
Obed Brooks, " "	

No sessions of the *Superior Court* of Judicature were held in this county until after the year 1729. (See p. 364.) This court in the different phases it has assumed not being a county institution, we pass by with the remark only that descendants of the Cape have occupied seats upon its bench with distinguished honor and ability.¹ The diverse practices that have

century back, of the appointments of special judges of the Superior Court. Hon. Sylvanus Bourne was commissioned in 1747, a Just. of the Sup. Ct. "in all cases relating to the silver scheme;" and at other times acted by special commission as a member of the same court.

¹ To speak as our respect would incline of the present Chief Justice of the Supreme Judicial Court, would not be in keeping with the restrictions by which we are to be governed in inditing these pages. — Of the Hon. GEORGE THACHER, deceased, we present an imperfect outline, drawn in substance from various sources, but compiled chiefly from Mr. Folsom's History of Saco and Biddeford, and from a biographical sketch by Dr. Thacher in the N. E. Magazine, 1834.

prevailed in regard to the manner of appointing, as well as the tenure of office, to the judicatories of the State, show great diversity of opinion in the public mind. The practice of commissioning judges *non du-*

Judge T., as has been seen p. 622, was a descendant of the 4th gen. from Anthony Thacher, who was one of the grantees at Yarmouth 1639. The youngest but one of eleven children, and b. Ap. 12, 1754; prepared for college under the tuition of Rev. Timothy Hilliard of Barnstable, he grad. H. C. 1776, and was in his collegiate course contemporary with King, Gore, Sewell, Dawes, and other noted men, who through life retained for him sentiments of attachment and strong affection. Having in the office of Shearj. Bourne Esq. of Barnstable prepared himself for the profession of the law, he, after a brief residence in York, Me., opened an office in Biddeford about 1782, succeeding Gov. Sullivan—at a time when enterprising men from various parts of New England, including many from the Cape, were removing to Maine, the war being closed, and when the interior of a few miles only from the sea had remained comparatively uncleared and wild, notwithstanding the antiquity of the maritime settlements, the proprietors of these uncultivated tracts just beginning to look up their claims, the titles to which in many instances ran back to a remote period. Often these titles were not to be established without difficulty, and under the circumstances litigation was not unfrequently unavoidable. Mr. Thacher having entered the profession after a careful and faithful preparation, almost immediately was engaged in an extensive practice, and became for many years a popular and successful advocate in all the counties in “the District of Maine” in which terms of the Sup. Jud. Ct. were established. A conspicuous contemporary has said of him, “He had great acuteness of mind, much law learning, and was able to bring to his aid in argument more general knowledge on scientific subjects than any of his competitors.”—Chosen by the Massachusetts legislature before the adoption of the Federal Constitution a delegate to Congress, he was also after that event successively elected by the people a representative to Congress until 1801, when resigning his seat, he accepted the appointment of Associate Justice of the Sup. Jud. Ct. of Mass., in which office he remained to the time of his resignation Jan. 1824. On the separation of Maine he had removed to Newburyport. On relinquishing his office, he returned to Maine to pass the remainder of his days in

rante beneplacito, but *quamdiu se bene gesserint*, has, however, met the approval of a very large portion of the wisdom of every age.

In 1692, provision was made that "all members of

the retirement for which he yearned; but died on the 6th of April following. — Whilst in Congress, Judge T. was by no means an undistinguished member. The debates of that period will show that he took an active part in all the important concerns of the time, and his speeches will be found to contain much useful information and sound argument, with somewhat of irony and keen satire interspersed. His opponents often cowered under the lashes of his wit, which he was quite ready to bestow whenever he thought he saw the hollow pretence of patriotism; but such was the universal opinion of the goodness of his heart and the honesty of his views, that no one indulged anger or resentment, except in one memorable instance, in which his independent and manly conduct did much to bring a senseless custom into contempt — for, although he could not perceive how powder and ball can refute solid argument or substantiate the opposite, he did not sink even in the opinion of fighting men, whilst his self-possessed and humorous treatment of the challenge brought the laugh upon his antagonist. His reply to the hostile message was to this effect: that in matters of much personal gravity he made it a duty always to consult his wife, then at home in Maine, and that he should feel especially bound to do so in the present instance; but if, in the mean while, the challenger would chalk out a man of just the size of the challenged, and shooting at the figure according to the exact code duello, should hit it, he would cheerfully admit the probability that had he stood in the place of the chalk-man the ball would have hit him. — On the bench of the Sup. Ct. Judge T. was an upright and faithful public servant. His mind well stored with legal principles, his retentive memory enabled him to apply them to the question in hand with great facility. His associates, it is said, bore testimony that in consultations upon cases argued, his discriminating power, sound technical knowledge, and recollection of old cases not reported, were invaluable. For integrity, impartiality, and firmness, he has been surpassed by none who have adorned the seat of justice. — In private life, where we should look for the virtues or blemishes that exhibit the real features of moral beauty or deformity which make up the character, his heart was always benevolent and kind. In every human face lie

Council shall be, *ex officio*, *Justices of the Peace* in the counties in which they are severally resident." From that time provision has been amply made for a competent quota in addition, of this class of respectable conservators of the peace in their respective towns,

recognized a friend and brother; and often where there was fault, he either could not see, or did not like to impute it. The criminal at the bar, it has been thought, had perhaps sometimes quite as much of his compassion as suited the stern demands of justice. — Although a vein of wit and humor irresistibly impelled him often to see in ludicrous shapes the arguments and opinions of those with whom he differed, his heart never took side in the struggle with the intent to offend; the sharp edge of his keenest sarcasms would seem to be blunted at once by the first appearance of wounded feelings. — In his domestic relations he was faultless; living a life of patriarchal simplicity, his humble dwelling the abode of peace, love and benevolence, as also the scene of the most unlimited frugal hospitality, where every one was received with a welcome. Though fond of society, he was a man of great and various reading — well versed even in theological polemics. His intimate friends "knew him to be a sincere believer in the great doctrines of Christianity — in immortality brought to light by Jesus Christ, and in a future state of retribution." He smiled at the disputes that frequently prevail among divers sects, and perhaps some of his own views were peculiar to himself; but he was a Christian. It were enough, perhaps, to say he was a member of a Christian church; for no particle of hypocrisy entered into his composition — hence, he was emphatically a *practical* believer, whose whole life would bear the test of the Gospel. That life was happy. He coveted nothing earthly but comfort, family loves and friends; and in all these he was rich indeed. Aiming never at the mere accumulation of property, he lived for others rather than for himself; and died in his own humble dwelling, endeared to him by forty years' familiarity — where every improvement was the result of his own toil and taste; the wife of his youth soothing his last moments, and his numerous children receiving his parting blessing; leaving no enemy behind him, but many warm friends to dwell upon his memory with affection and delight. If eccentricities he had, they were innocent and sportive. No one who had occasion to consult his heart ever found it erring; his sympathy for the unfortunate was ready; his liberality proverbial.

and also of select ones with more enlarged jurisdiction.¹

Those appointed, since about the close of the last century, to *Qualify* civil officers, have been:²—

Feb. 6, 1800, Nath'l Freeman, S.	Feb. 18, 1822, John D. Bangs, T.
" John Davis, Be.	Feb. 5, 1823, Sam. P. Crosswell, Fe.
" Tim. Phinney, Be.	Aug. 29, 1823, Job C. Davis, Be.
" Eben'r Bacon, Be.	Feb. 26, 1825, Elisha Pope, S.
" Sam'l Savage, Be.	May 12, 1828, Isaiah L. Green, Be.
" Sol. Freeman, Br.	June 11, 1829, Naler Crocker, Be.
Feb. 4, 1814, Wendell Davis, S.	" Abner Davis, Be.
" Rd. Sears, C.	Jan. 30, 1830, Seth F. Nye, S.
May 10, 1817, John Reed, Y.	April 3, 1838, Nymphas Marston, Be.
Feb. 18, 1822, John Seabury, C.	" Eben'r Bacon, Be.
" Elijah Cobb, Br.	1842, Timothy Reed, Y.
" Joseph Sampson, Br.	1844, Daniel W. Davis.
" David Crocker, Be.	" Th. Holbrook 2d, W.
" James Crowell, Y.	" Lothrop Davis, Be.
" Brad'k Dimmick, F.	1846, George Copeland, Br.
" Nathaniel Lewis, F.	1847, Jacob Mitchell, W.
" Anthony Snow, T.	Aaron Cornish, F.

An "order for the appointment of JUDGES OF PROBATE" was passed June 18, 1692. In the year 1702, Aug. 13, "the Governor, in consideration of the clause in the charter referring to the Probate of Wills, &c., lodging that power in the Governor and Council; but, finding courts established in the several counties for that purpose," &c., "ordered that they be *continued*." The incumbents have been:—

Aug. 13, 1702, Barnabas Lothrop.	Feb. 1, 1764, James Otis.
June 15, 1714, John Otis. ³	Mar. 27, 1781, Daniel Davis.
Dec. 26, 1727, Melatiah Bourne.	May 27, 1799, Ebenezer Bacon.
Jan. 6, 1740-1, Sylvanus Bourne. ⁴	Jan. 30, 1800, John Davis.

¹ See Appendix L.

² We have not followed the appointments after 1847. With few exceptions, those named in the above catalogue are deceased; and all such held the appointment severally to the end of life.

³ Mr. Otis has been represented as first Judge of Probate, and it has been inadvertently so stated p. 272; but the contrary now appears.

⁴ Mr. Bourne "petitions, Jan. 27, 1742, on account of the decease

June 8, 1825, Job C. Davis.
Jan. 11, 1828, Nymphas Marston.

Dec. 18, 1854, George Marston.
May 13, 1858, Joseph M. Day.

The office of REGISTER OF PROBATE has been filled by the following :—

Joseph Lothrop.
Aug. 13, 1702, William Bassett.
June 14, 1721, Nathaniel Otis.¹
Aug. 23, 1729, Sylvanus Bourne.²
Jan. 6, 1740-1, David Gorham.
Aug. 28, 1775, Nathaniel Freeman.
Jan. 22, 1823, Abner Davis.

Mar. 28, 1836, Timothy Reed.
June 29, 1852, Nathaniel Hinckley.
Mar. 2, 1853, George Marston.
Dec. 28, 1854, Joseph M. Day.
Rufus S. Pope.
June 29, 1858, Charles F. Swift.
Jonathan Higgins.

The persons occupying the office of REGISTER OF DEEDS have been :—

Joseph Lothrop, ³	Solomon Otis,	Job C. Davis,
William Bassett, ⁴	Edward Bacon,	Lothrop Davis,
John Thacher,	Ebenezer Bacon,	Frederick Scudder.

The office of *County Treasurer*, so far as we have been able to ascertain, has been filled by ⁵—

of his father, Melatiah Bourne Esq., he being residuary legatee and Judge of Probate ;” and provision was made.

¹ Mr. Otis was ap. “in the room of William Bassett Esq.”

² Mr. Bourne was ap. “during the illness of Nath’l Otis Esq., or until otherwise ordered ;” and Aug. 25, 1731, was reappointed without conditions. He was afterwards ap. Judge of Prob.

³ The following note appears in the office of Reg. Deeds : “The first record of a deed in this county was made Oct. 6, 1686, by Mr. Joseph Lothrop, register. Previous to that time, the records of deeds were made in the Old Colony at Plymouth.” This note was made in the first Book of Records after the burning of the County Building, Oct. 22, 1827, in which the records generally were destroyed.

⁴ “A deed was left at this office,” says Frederick Scudder Esq., the present register, Jan. 16, 1860, “a few days since, bearing date Feb. 3, 1691-2, on which is the following : “July 13, 1710, then received this deed to be recorded, and is accordingly entered and compared, per me, Wm. Bassett, Reg.”

⁵ We do not assume to give here full and perfect catalogues of those who have filled this and the two several offices next following ; but, as far as we are able, ascertained facts.

Solomon Otis,		Ebenezer Bacon, 1824.
Edward Bacon,	1784.	Josiah Hinckley, 1837.
Ebenezer Bacon,	1785.	Frederick Scudder, 1842.
David Crocker,	1814.	Charles F. Swift, 1853.

The *Clerks of Courts* have been:¹—

William Bassett,	Joseph Otis,	Abner Davis,
Nathaniel Otis,	William Otis,	Timothy Reed,
John Sturgis,	David Scudder,	Frederick W. Crocker. ²

The office of *County Attorney* has been held by appointments of:²—

Sept. 3, 1811, Salmon Nye. Feb. 12, 1816, Nymphas Marston.
Feb. 22, 1813, Wendell Davis.

The first appointment of HIGH SHERIFF, under the charter, was May 27, 1692. The following have been the appointees:—

May 27, 1692, William Bassett.	Aug. 25, 1731, John Hedge. ⁵
July 17, 1699, Samuel Allen.	Nov. 8, 1748, John Gorham.
Jan. 4, 1713, Shubael Gorham. ³	Feb. 1, 1764, Nathaniel Stone.
Dec. 10, 1715, Joseph Lothrop.	Aug. 28, 1775, Enoch Hallett.
Nov. 16, 1721, John Russell. ⁴	May 8, 1788, Joseph Dimmick.

¹ We have already alluded to the destruction of the Court records. We think there was at least one other filling this office; but do not like to assert it without authority.

² The tenure of office was changed and made elective in 1856, when Mr. Crocker being in office since April, 1855, was elected for five years from January, 1857.

³ Mr. Gorham was again appointed July 22, 1720, "to be joint Sheriff with Joseph Lothrop Esq.;" and again appointed Dec. 12, 1728. In 1734, Jan. 2, he was appointed "to be sole Sheriff." April 11, 1735, "Sheriff Gorham has affronted John Russell Esq. by interrupting him in the discharge of the duties of his office as a Justice of the Peace;" and "is ordered" by the Council "to show cause;" commissioners were appointed to take evidence, and "both parties are ordered to appear before the next General Court."

⁴ Mr. Russell was again appointed October 27, 1740, "in room of S. Gorham, now of the Council."

⁵ Mr. Hedge was appointed "to be joint Sheriff with Shubael Gorham."

Mar. 3, 1808, James Freeman.
 Feb. 8, 1816, Wendell Davis.
 May 14, 1823, David Crocker.
 Oct. 1843, Nathaniel Hinckley.

Oct. 5, 1848, Charles Marston.
 July 2, 1852, Daniel Bassett.
 Feb. 14, 1853, David Bursley.
 Charles C. Bearse.

Those who were appointed to the office of *Coroner* were: —

Mar. 6, 1694, Thomas Freeman, H.	Mar. 27, 1781, Richard Sears, C.
Mar. 18, 1702, Peter Thacher, Y.	“ Benj. Pepper, E.
Dec. 10, 1715, Sam'l Freeman, E.	“ Sam'l Bourne Jr., F.
“ Eben'r Howes, Y.	Mar. 12, 1785, Josiah Thacher.
“ John Chipman, Be.	“ Isaiah Parker.
Nov. 12, 1717, Sam'l Treat, E.	June 16, 1788, Mich'l Collins, W.
Mar. 31, 1721, Josiah Knowles, E.	Mar. 1, 1794, Wm. Hinckley, Be.
Sept. 9, “ Sam'l Annable, Be.	Mar. 4, 1800, Wm. Crosby, H.
Mar. 16, 1722, Ezra Bourne, Be.	May 6, 1802, Naler Crocker, Be.
“ Stephen Skiff, S.	June 10, 1803, Heman Tobey, S.
Aug. 23, 1729, Judah Thacher, Y.	Jan. 28, 1804, Josiah Whitman, W.
Oct. 10, “ Nathan Bassett.	May 10, “ Seth Hamblin, F.
“ Ezekiel Cushing.	July 2, 1807, Consider Hatch, F.
Aug. 25, 1731, Thos. Winslow.	Feb. 20, 1810, Rol'd T. Crocker, Be.
Sept. 1, “ Rich'd Knowles, E.	May 8, 1812, Samuel Nye, C.
“ John Knowles, E.	“ Edward Nye, S.
“ Thos. Clark Jr., H.	Jan. 20, 1813, Jonas Stevens, T.
“ John Davis.	“ Jaazaniah Gross, T.
Nov. 18, 1737, Sam'l Hallett.	Sept. 1, 1814, John Davis Jr., Be.
Oct. 5, 1739, Sam'l Bourne.	May 29, 1815, Asa Young, Be.
Dec. 5, 1740, William Roach.	Nov. 29, 1817, Lewin Pope, S.
June 27, 1743, Joshua Atkins.	Jan. 25, 1822, Jer. Newcomb, W.
Mar. 6, “ John Sturgis.	“ Henry Knowles, O.
Mar. 1, 1747, Seth Winslow.	“ Timothy Cole, E.
Nov. 18, 1748, Isaac Hinckley Jr.	“ Jona. Nickerson, D.
April 6, 1751, David Sears Jr., C.	Feb. 22, 1825, James Small, T.
Jan. 2, 1753, Barnabas Paine.	Feb. 28, 1829, Joseph Smith, Br.
Jan. 8, 1755, Joshua Knowles.	Feb. 17, “ Jona. Nickerson, P.
“ Timothy Bourne.	Mar. 11, 1830, Jas. N. Howland, Be.
Oct. 10, “ James Bowin.	June 9, 1831, Solomon Rich, P.
June 2, 1758, Heman Stone, H.	Mar. 20, 1832, Wm. Hamilton, C.
Mar. 8, 1759, Stephen Hallett, Y.	“ Amasa Nickerson, H.
Feb. 17, 1763, Sam'l Jenkins Jr.	Jan. 18, 1833, Benj. F. Berry, Br.
Oct. 17, 1775, Jonathan Handy.	Oct. 1, 1834, Ezra Tobey, S.
“ Nath'l Doane, H.	Feb. 27, 1835, Benj. Foster Jr., Br.
“ Freeman Parker, Be.	Mar. 30, 1838, Luther Hinckley, Be.
Mar. 27, 1781, George Lewis, Be.	Feb. 11, 1839, Matt. Kingman, O.
“ Lemuel Pope, S.	

It would occupy too much space to enter here upon the mention of all the various offices and officials per-

taining to the administration of the laws in Barnstable County. Nor have we room in this place for an extended view of the *Military* — an organization to which formerly was attached much importance — the governing sentiment of our revolutionary sires, whose repugnance to a standing army was natural, being: “Freedom cannot be maintained without power, and men who are not in a capacity to defend their liberties will certainly lose them.”¹ — We pass on to the concluding chapter.

¹ See Appendix M.

CHAPTER XXX.

CONCLUSION. — The Right Arm of Massachusetts. — Inhabitants. — Occupations. — Love of Home. — Education. — Schools. — Religion. — Salubrity of Climate. — Agriculture. — Soil. — Topography. — Winds and Tides. — Manufactures. — Fisheries. — Migrations. — Census. — Graduates.

CAPE COD has, not inappropriately, been called the "RIGHT ARM OF MASSACHUSETTS." Without reference to the topographical outline, the designation is merited, if regard be had to the employments, the nautical skill, the enterprising, and hitherto morally upright character of its inhabitants; and it is doubtless to these considerations that reference was primarily intended in the figure employed. The glory of the Cape, we unhesitatingly assert without the possibility of contradiction, has been the character of the men who settled here, and, through successive generations, their numerous descendants. We make this declaration ingenuously — unawed by the fear of an accusation of self-laudation or egotism; for we speak of the community as a whole — not ignoring the few anomalies that might possibly be found, as among all peoples, to constitute the exceptions that prove the general rule; nor claiming for history the unfinished career of generations now on the stage of action.

The almost entire population of the Cape has been made up of those who were descendants from the puritans, perpetuating their names and their virtues; and the races here are generally more purely English

than in any other part of our land. The Cape has at all times furnished its full proportion of enterprise, talent, genius, learning; and the merit of her sons has been acknowledged in all lands. The moral sense and general intelligence of the people, from the time of the earliest settlements, compare favorably with the inhabitants of any age, clime, or country.

A large proportion of the male inhabitants of the Cape are, as is well known, early addicted to the seas. This is a necessary incident of their locality. As seamen, their aim generally is to command; and perhaps no one portion of the globe, of similar extent, has furnished so many able commanders of ships. A vague impression, we are aware, has long possessed a portion of the public mind, that a seafaring life is not promotive of virtue:—but, that the seamen of Cape Cod are as remarkably exempt from the vices and frailties of humanity as any class of people whatever, challenges denial; and the apprehension to which we have adverted has, whether just or merely imaginary, no support from what is observable here. Our seamen are generally, as before intimated, very soon commanders of ships, rather than ordinary sailors; and such as have not arrived at the distinction are for the most part employed in vessels under those commanders, or engaged in the fisheries. Their visits to all lands and their intercourse with the wide world, give them large views that tend to the formation of a liberal, manly, noble character. Even in their fishing excursions they are, as it were, at home—among their relatives and their early associates;¹ and when returned to the

¹ The fishing voyages, it is admitted, are not always conducted without auxiliaries from abroad. For many years there has been a

land and under their own roofs — whatever privations they may have suffered in the times of peril, or because of national calamities, involving embargoes and wars, their dwellings are preëminently abodes of comfort, and exhibit the marks of healthy thrift and enjoyment beyond the allotment to other sections of our country, so far as relates to the general and equable distribution of the bounties of a good Providence.¹

disposition on the part of persons from the interior to place themselves on board these vessels, to participate in the toils and advantages of these excursions. But after all, the home hands are the majority. Moreover, those from abroad who seek a place on board our fishing vessels, are in many instances agriculturists, mechanics, sometimes tradesmen and clergymen, whose health has required that they try the salubrious air and salutary exercise of the voyage for the restoration of wholesome and vigorous action of the system, — an experiment that seldom fails.

¹ The sweeping remark of Talleyrand, that "all the qualities, all the virtues which are attached to agriculture, are wanting in the man who lives by fishing," has been readily seized by many minds of superficial observation, as if

"A gem oraculous
On Aaron's breast, or tongue of seers of old
Infallible:"

but let it be borne in mind that those engaged in fisheries from the Cape *are* many of them agriculturists. This community is very far from being made up of mere fishermen. Unlike the ancient Tyrus, when, in fulfilment of its ruin foretold, it became "the destroyed in the midst of the sea, like the top of a rock, a place for fishers to dry their nets on," the Cape embraces an extent of territory without an over-crowded population, sufficiently productive yet, if not to save from famine the two old colonies of Plymouth and Massachusetts, to remunerate the homely toils of a few practical husbandmen. Indeed, very few persons in the county are exclusively fishermen; nor are the circumstances under which the fisheries are prosecuted such as to stigmatize any class. Admit that, under certain circumstances, the exclusive vocation of fishing is not most favorable to mental development; the remark would not be applicable at all to the larger class

The Cape Cod man loves his native home. Wherever he may be, — whether in foreign climes, or buffetting the winds and ploughing the waves of the billowy deep; whether a merchant prince in some one of our large cities, or located on the fertile lands of some new territory; whether north, or south, or east, or near the declining sun, his thoughts ever turn to his place of nativity with fond delight and peculiar yearning; and he is proud to hail from this garden-spot of creation — for such, to him, in an important sense, it appears, whatever impressions others may have conceived of its sterility and stereotyped dulness.

Of the *parvenu* aristocracy of some parts of our country at the present day, the Cape makes no boast. It is plebeian, though it has wealth, and that wealth liberally distributed. What is elsewhere often mere show and empty ostentation, is here, generally, substantial reality. A man's brains are not regarded as

engaged upon the seas and in other employments, nor to the many occupied in various pursuits. Besides the constant emigration induced by that characteristic enterprise which leads so many to seek wider fields of action, and which has been populating every part of our country ever since the first settlement of the Cape, leaves ample room; so that none are debarred for want of space of the opportunity of associating with other chosen pursuits that of agriculture, horticulture, or kindred avocations. We readily concede, however, that there is nothing necessarily ennobling in mere fishing; indeed, are constrained to acknowledge that there is always discernible a marked difference just in proportion to the degree in which certain fisheries engross the time of individuals to the exclusion of a larger acquaintance with the world and the neglect of books. Yet this difference is not more apparent than in the influence of continual application to other callings every where. Lumbering, rafting, boating on canals, &c., are attended with similar results. When the Cape shall have become a community of fishermen alone, we shall have better opportunity of testing the axiom of Talleyrand.

lodged in his purse; nor his character and claims as depending on the supercilious devotion of sinister and false-hearted hangers-on; nor yet his principles a thing to be determined by the fortuitous chances and mutations of events. Refinement exists—without its sickening affectations and diseased sensibilities; and intelligence—without attempt at the display of the transcendental, unreal, or impracticable. Common-sense—we use the term in good old import—has not so far become obsolete that it is no longer destined to dwell among the denizens of the Cape, a fixed trait. Do we utter extravagances? does our delineation of the character of the mass of the people seem to partake of a vain boast?—let the verdict of the whole world in regard to the sons and daughters of Cape Cod be the decision of the issue.

The diffusion of education among all classes is proverbial. One native-born who cannot read and write as soon as seven years of age, would here be regarded as a phenomenon. And here, we are forcibly reminded of that peculiar trait in the early settlers of the colony, forever worthy of commemoration—their appreciation of the general blessing of early education, and their untiring efforts to secure it for posterity. The education of *all* was regarded by them as of primary importance to the well-being of the rising generations, the best good of the State, and the greatest happiness of the human race; and to the furtherance of this end their best energies were directed. It was truly fortunate for New England that so large a proportion of its first settlers were people of intelligence and education; and it may well be a subject of devout gratitude to God at the present day, as it is of admiration, that, in circumstances so unpropitious to the support of schools,

the settlers just beginning to plant themselves in a wilderness in the midst of many privations; — obliged to fell the forests and erect for their protection against the rigors of the climate such habitations as they might; compelled to cultivate the lands for their daily subsistence, and often to defend themselves against apprehended dangers from the aboriginal race; should, with so slender means, have given so much thought to the subject of education, and especially that their thoughts should have been so directed to the education of the masses. It was not enough that they made it a religious duty to instruct their offspring in the family to enable them to read the Bible: they must have other and greater facilities, — an educated ministry, educated officers of State, and teachers thoroughly educated; and, we hazard nothing in saying, sacrifices were endured and pains taken to accomplish the noble end, which are a monument of distinction to the praise of our forefathers, enduring as eternity.

Never has there been a time in the history of this or any other country, when ministers of the gospel were generally — perhaps without exception — better qualified by education and sound learning to give impulse to such a movement; and never were a set of men more influential than the early settlers. Nor was it the ministry alone. However much deference was paid to that class of men, the laity which embraced very many highly educated, and a full proportion besides of those who had a large share of (that to which we have already adverted, — too generally at the present day most uncommon kind of sense called by a singular misnomer) *common sense*, had minds of large views and well disciplined, nor did they fail to employ their efforts, happily in concert with their religious teachers,

in effecting what they conceived to lie at the foundation of good morals, good government, and the public weal.

Private schools were, indeed, necessarily the first resort; but the subject of public schools was agitated from the very first. In 1663, the Colony Court "proposed to the several townships within its jurisdiction, as a thing which ought to be taken into serious consideration, that some course be taken in every town that there be a schoolmaster set up to train children to reading and writing;" and, in 1670, that which may be regarded as the very germ of our present truly noble and beneficent system of Free Schools, was enacted: a law freely granting "all such profits as may or shall accrue annually to the colony from fishing with nets or seines at Cape Cod for mackerel, bass, or herring, to be improved for and towards a free school in some town in this jurisdiction, for the training up of youth in literature for the good and benefit of posterity." That school was established at Plymouth, the seat of government, and was supported six years by the Cape Cod fisheries; when, in 1687, it "was ordered" by the General Court, "that in whatever township in this Government, consisting of fifty families or upwards, a meet person may be obtained to teach a grammar school; and that such township shall allow at least £12 to be raised by a rate on all the inhabitants of said town: and that those who have the more immediate benefit thereof, with what others shall voluntarily give, shall make up the residue necessary to maintain the same: and that the profits arising from the Cape fisheries heretofore ordered to maintain a grammar school in the colony, shall be distributed to such towns as have such grammar schools, not exceeding £5 per annum to any

one town unless the court treasurer or others appointed to manage that affair shall see good cause to add thereunto: and further, that every such town as consists of seventy families and upwards, and has not a grammar school therein, shall allow and pay to the next town that has a grammar school, the sum of £5 to be levied on the inhabitants by rate, and gathered by constables of such towns by warrant from any magistrate of this jurisdiction." This law was in force until the union with the Massachusetts Colony, or until about that time. The fisheries were then made free to all perons; and other provisions for schools were made.

The attention of the community has ever thus been carefully directed to the cause of education. The poor and the rich have enjoyed the means of good education. Hence there are few in New England (and, as we have suggested, it would be difficult to find at the present day any adult born on the Cape) who cannot at least read and write, with, in addition, a competent knowledge of figures; whilst generally the opportunity has been afforded to secure that full amount of education requisite to qualify for successful business. In later years, the Cape has kept pace with the educational improvements of the age; and may point to many of its distinguished sons and accomplished daughters as proof that it has never been greatly derelict in this duty.

The inhabitants of the Cape are a religious people. The entire freedom of religious opinion claimed by them, has led to a diversity of denomination; in almost every village as well as town, places of public worship being reared by differing sects. But it is here disreputable to have no religious belief; and there are scarcely

any to be found who do not give their support to some one mode of religious worship and form of faith.¹

We may add, that health, that greatest of all mere earthly blessings, here waves her wand, and crowns the votaries of frugality, industry, temperance and virtue.²

¹ It is not for us to detail or define the sects into which communities have divided, nor to suggest even the causes. There have, of late years, "come-out," in few instances, doctrines and practices that were unknown to the fathers. We could do no good service in rebuking singular extravagances even by a record of them.

" You may as well
 Forbid the sea for to obey the moon,
 As, or by oath remove, or counsel shake,
 The fabric of his folly whose foundation
 Is piled upon his faith."

² It is not too much to assume that the people of the Cape are generally a temperate community. It would occupy too much space to enter minutely upon the efforts that have been made from time to time to suppress intemperance in the use of stimulating liquors. There have always been instances of incorrigibleness. Much that has been done has been wisely directed; that an indiscreet zeal should be exhibited by some reformers is a necessary consequence of the diversity of the human mind.

" We have strict statutes and most biting laws,
 as fond fathers
 Have bound up the threatening twigs of birch
 Only to stick it in their children's sight
 For terror, not for use: in time the rod
 Becomes more mocked than feared."

That stimulating drinks were in vogue in former times, here as every where, is very evident from the items of public charges and allowances; and the practice at the seat of government of ample refreshments on great occasions seems to have furnished precedents in high places for the expenditures of officials of later days. In 1714, Sept. 30, a council order was issued "that Penn Townsend Esq. and Mr. William Payne take care to provide and lay in wine, &c., at the council chamber for the entertainment of the Governor and Council and other guests that shall attend the solemnity of proclaiming His Majesty

Agriculture, as may well be supposed, is not in the *ascendant* on the Cape; but that the cultivation of the soil is by no means neglected, the reports of the Agricultural Society of the county will demonstrate.

A very extensive misapprehension prevails elsewhere in regard to the Cape soil. In this respect, many have been misled by the error of some of the popular writers and compilers of topographical statistics. Mitchell, for instance, in his "View of the United States," says, "The South point of the great Bay from which the State takes its name, is Cape Cod; a long irregular peninsula of seventy-five miles in length, by from five to twenty in breadth. It consists chiefly of hills of white sand, mostly destitute of vegetation. The houses are in some places built upon stakes driven into the ground, with open spaces for the sand to drift through. The Cape is, notwithstanding, well inhabited, and supports a large population, the large majority of which subsists by the fisheries and the coasting trade." Some writers have, with their usual accuracy, and in the plenitude of their knowledge, been content to describe the Cape as chiefly the scene of shipwrecks, sandy, barren, and desolate, where fish are the main subsistence and the sparse population little better than semi-barbarians. All this is sufficiently amusing. The error by which the superficial and hasty gleaner of geographical facts and of

King George on Wednesday next the 22 current, to be performed at 12 A. M.; also a dinner for the same, and candles for illuminating the house in the evening; also bread and wine for the refreshment of the troops and soldiers commanded to attend the solemnity." The "account allowed, Oct. 15, for public dinner, wines, brandies, bisquet, and other expenses," was £77 1 9. But at that time adulterations or "extensions" were a thing yet to be learned, and temperance rather than abstinence was the doctrine inculcated and generally practised.

other statistics is misled, is probably the result of his regarding "the *South Point* of the Great Bay" from which Massachusetts is sometimes denominated the Bay State, as the peninsula itself. But even *then*, the Sinbad-the-Sailor, or Gulliver's-travels-writers of the day who occasionally honor Cape Cod with a glance profoundly erudite, would find it very difficult to find a *location* for their romance.¹—There is, on the Cape, some good land and skilful and thrifty husbandry.

Although the topography of the county in detail, will come more appropriately in connection with the Annals in the second volume, we may here say that the surface of the Cape is varied. Like the land on the sea shore of New England generally, its aspect is irregular, presenting hills and ridges, with flats of moderate extent. A considerable portion of the soil is productive. Much of this portion is of easy tillage; but requires diligent renovation and faithful culture. Geologists state that much of the county is alluvial, with other portions of diluvial soil. The best land of the Cape, would doubtless be lightly esteemed by the planter in comparison with the fertile prairies, valleys, and gently undulating lands of richer agricultural

¹ The crudities of modern writers are not peculiar to themselves. We might multiply almost indefinitely as palpable blunders, by quotations from earlier times. NEAL, in 1720, says, "The conveniences of fishing renders Cape Cod populous as most *places* in New England." Perhaps, however, he has reference to the Province lands alone. Still, as he also says, "The great fresh water lakes behind New England are constantly frozen over in winter from November, which occasions the long and hard winters in New England;" we must consider him as sometimes borrowing from doubtful authority. Douglass, 1749, says, "At the present, Cape Cod called Provincetown, may consist of 2 or 3 settled families, 2 or 3 cows, and 6 to 10 sheep." Guthrie and even Dr. Morse make some singular statements.

regions. But uninviting as the soil is to the agriculturist, it was not only the land of sustenance to the Pilgrims at their first settlement, but was then the land of plenty. It was long distinguished by its supply of the cereals; nor will it soon cease to yield to the husbandman a moderate reward for his toils.

The cutting off the forest trees that nature had planted around these shores as if to guard against encroachments of winds and waves, was unfortunate. It commenced early; the error, however, is not to be attributed to the early settlers alone or chiefly. Indeed, it was begun before they were here. It was continued when they had taken possession of only a few remote positions; and often did they protest against these spoliations, endeavoring by such restrictions and legal measures as were within their power, to stay the wanton destruction. Notwithstanding, the work of devastation was too extensively accomplished; as is seen on the shores of the Cape since washed away by tides aided by the force of winds,¹ so that vast flats of sand extend in some places a mile from the shore, now, at low water, dry, or nearly so, and in some instances these flats disclose large stumps of ancient trees embedded in their native peat.²

¹ In 1717 or 1718, April 26, during the violent storm in which the *Whidah*, the noted pirate-ship, was driven on the outer shore of Wellfleet and dashed to pieces, (see p. 356,) "the sea forced its way across the Cape and made such a channel that persons passed through in a whale-boat." The channel was soon closed by great effort on the part of the inhabitants, and has been kept so. But for the timely interposition of the settlers "it is probable that 20 or 30 miles of the extremity of this wonderful arm of land would ere this have been entirely washed away."

² The changes of ocean tides are a subject of fruitful inquiry and of much interest. The waters upon the coast are generally supposed

Not designing at all to controvert the theory of geologists, that the formation of much of this peninsula is the result of the powerful action of winds and waves and that the boulders found on the highest land as well as in other locations were conveyed hither by ice, (though some are incredulous,)¹ we may remark that whether these speculations of science remain forever irrefutable or are destined to vanish before superior

to be gradually sinking. When Quebec was founded, in 1608, the tide-waters are said to have washed the foot of the rock that now divides that city into upper and lower town. Since that time, the lower town has arisen from the waters, and become the principal seat of trade and commerce. The inhabitants of West Bothnia have observed, by marks on rocks, that the sea decreases about 44 in. every century. Dalen reports that the waters in Sweden sink 37 in. in a hundred years. Ravenna, in Italy, once a seaport, is now inland. It is supposed that a direct water-communication once existed between the Baltic and Euxine Seas. Herodotus alleges that a great part of Poland and Russia has been covered by water. Ptolemy speaks of Scandinavia as an island. Alexandria, in Egypt, is built on the very spot where was the original harbor of the old city.

The changes in the lakes, or ponds, of the Cape, are also remarkable. Although we have no solid marks on the coast by which we can accurately estimate the accidence of the sea, rocks on the margin of ponds show that there is a general subsidence in these periodically, and a consequent rise during a similar period.

¹ In Truro, Wellfleet, Eastham, Chatham, and Harwich, very few rocks or stones are found. But in Brewster and Dennis, as well as farther up the county in all the other towns, immense rocks pronounced, by the scientific, *boulders*, appear. Some, on the highest land, are piled up one above the other in great profusion. As far down the Cape as Eastham is found a huge rock lying solitary, deeply embedded in the earth and at the same time raising high its conical form, a landmark for seamen, in view to those approaching that part of the coast, before any other object upon the land is visible. A rock in the west part of Brewster is also somewhat remarkable, called the "Rent Rock," having been split by some powerful action of the elements into a number of parts.

light to be elicited by discussion, exploration and discovery; it is evident that both Gosnold and the captain of the *Mayflower* found the Cape in a better state of defence against the ravages of winds and waves than it has ever been since; and it must have remained thus defended long ages before the eye of any European rested on its shores. It is equally evident that it now, in many places, requires artificial protection, not simply for its preservation for the convenience of the dwellers in these parts, but for the benefit and urgent need of commerce at large.¹

An indisputable fact it is that Cape Cod has from its earliest history been a "terror to mariners." Its CREATOR so formed and located it. But what would it be without the life and enterprise and strength He has scattered over it! All that could be done, was, in the infancy of its settlements, assayed, by the then scattered population, to lessen the dangers of navigation, to increase the conveniences of harbors and mitigate the sufferings of strangers wrecked. The voice of its inhabitants has often since been heard calling upon the General Government to aid their good designs for the general weal. That the National Government has not been altogether remiss in this matter, is shown by fifteen lighthouses on the shores of the Cape that have cheered many a ship on its way, and saved many a

¹ There is considerable wood yet remaining in the county, mostly oaks, and pines. This is now generally cut off once in from 15 to 30 years, the oak growing more thriftily from the stump when cut in its early prime. Considerable quantities are yet sent to markets without the county. The increasing use of coal, the prolific supply of native peat, and the importation of wood in places destitute of a full supply and better accessible from ports of Maine, making up any deficiency. Until recently much ship-building was carried on in different parts of the county, the supply of native timber being ample.

mariner and passenger from a watery grave. The U.S. Government has also done something in the erection of breakwaters for the preservation of convenient and important harbors. Private funds have often been employed to accomplish what the National Government would not undertake. There is yet room for the General Government to work. It need not, it ought not to stint its appropriations for objects so eminently national and humane, when great and most beneficial results may be easily attained; especially with a treasury often plethoric, and scattering its increasing surplus too much in a way that engenders corruption and tends to national degradation. The works which remain yet to be effected here are by no means of mere local importance. A nation's commerce—ay, a world's commerce is deeply interested in the consummation. The Cape is, what it was intended by the ALL WISE to be, a good land, surrounded by goodly seas, blessed with an invigorating and inspiring atmosphere, supplying all needful comforts to its possessors, and through them blessing the land and the world; but as a locality of public interest, it should not be passed by with meagre appropriations for the public weal, or parsimonious improvements.

As with agriculture, so with MANUFACTURES. Manufacturing establishments do not prevail as in some parts of the State. And yet Cape Cod is not the least in respect to these, as will be seen by reference to the Annals of several towns.¹ *Salt*, the manufacture of

¹ The manufacture of *fabrics* prevailed early on the Cape, to considerable extent, though of late years almost wholly discontinued. This manufacture was carried on not only domestically from the first, but by professional manufacturers and capitalists long prior to the revolution. Among these, the Marstons and Winslows were promi-

which for many years received great attention, and was indeed, for the time being, the chief manufacture, in which was invested about two million dollars of capital — a branch of business that was more profitable than any other in proportion to the amount of capital employed — has not ceased to be manufactured; but the business has greatly declined. The price of the article not justifying any additional outlay, no new works have been constructed for many years; and as those yet existing become dilapidated and unfit for use without repairs, they are from time to time demolished, so

inent. In the Massachusetts Gazette, March 3, 1768, appears an item, copied from a letter dated "Barnstable, Feb. 19," saying, "A few days since a number of Barnstable ladies paid me a visit, dressed all in homespun, even to their handkerchiefs and gloves, and not so much as a ribbon on their heads. They were entertained with *Labrador Tea*; all innocently cheerful and merry. . . . Towards night we had the company of some of the chief gentlemen of the town, who also drank *Labrador Tea*" — a domestic production, of course. — In the same Gazette, "Oct. 18, 1770," is "a letter from Newport, R. I.," saying, "We are assured that one gent. only, at Barnstable, about 50 m. from Boston, who has not long since set up the woollen manufacture, receives from the spinners he employs 500 skeins of yarn one day with another, and that he has lately purchased 6000 lbs. of wool for his winter's stock. By a moderate calculation, he cannot clear less than \$3000 per year by this manufacture, which is the most profitable of any business now carried on in America according to the stock improved in it; for the full knowledge and proof of which we are indebted to our *politic lords and masters*, as they would be called, the ministry of Great Britain. It is affirmed by the best judges, that is, by those who have made the experiment, that a piece of broadcloth of equal goodness with what would cost \$3 per yd. in London, may be made in this colony at \$1.50. Hence it is easy to conceive how the importation of woollens might be stopped by a little industry." — The Barnstable ladies above mentioned have thus precedence of Mrs. Washington, who at a later period appeared in court circles in American fabrics, as did her husband when he delivered his inaugural.

that few comparatively now remain. But whilst this branch of business has ceased in great degree, other and important manufacturing establishments have sprung up in some of the upper towns.

The FISHERIES now, as ever, command much attention, and employ a great number of men and a very large amount of capital. These fisheries, it need not be said, train a large number of the most experienced and intrepid mariners in the world.¹ The Cape is also still engaged more and largely in NAVIGATION for other purposes. The amount of tonnage owned in the District as by the revenue returns, by no means indicates the extent of its navigation. A large amount owned by citizens of this county is registered in Boston, New York, and other cities, but is sailed under the direction of enterprising adventurers and able seamen belonging

¹ As the abolition of the bounty on salt caused the general decline of that branch of domestic manufacture, so the often threatened abolition of the fishing bounties, may yet cause the decline and even general abandonment of this branch of industry. The policy of our government has, unhappily, never been fixed in regard to the encouragement of home industry and enterprise, as has been that of other nations. The English and French set the example very early of giving these bounties, expressly for the encouragement of commerce, and to keep up the fisheries as a nursery for seamen. Mr. Jefferson always advocated the bounty, in order "to foster our fisheries as a nursery of navigation." Whenever the bounties have been withheld, the fisheries have declined. Whenever they have been resumed, an increased activity in the business has immediately responded. The experience of the war of 1812 shows what an invaluable school of instruction we had maintained, from which bold, hardy, and skilful seamen rushed to enlist in the navy, and to fight and win the battles which could not have been won without them. The Massachusetts privateers in the revolutionary struggle were always manned by fishermen, and rivalled the navy in the brilliancy of their performance and the efficiency of their service to the government.

here. In 1837, however, the custom house statistics of this District showed 28,153 tons, since which time the amount has considerably increased.¹

The population of the Cape towns will appear in the census table, down to the year 1850, subjoined in a note. Since the last United States census was taken, the population has probably increased in a greater ratio.²

¹ The same fluctuating policy on the part of the General Government which has affected the salt manufacture and the fisheries, has in some degree rendered the interests of navigation generally insecure. It has been proposed to throw open our coasting trade to foreign competition, and thus let foreign vessels, when freights are dull at home, come over here to bring ours down also. Those familiar with our shipping interest think the effect of such a law will be extremely disastrous. It used to be said that the British navy could sweep from the sea the commerce of any nation at war with her. Some seem willing to save her the trouble.

² Census of Barnstable County since it was constituted a county, 1685:—

	Begun.	Incorp'd.	Dist'ce from Boston.	POPULATION IN								
				1764	1776	1790	1800	1810	1820	1830	1840	1850
COUNTY,.....		1685.	.....	.....	.....	.....	19,293	21,372	24,431	28,541	32,199	33,979
SANDWICH,.....	1637.	Sept. 3, 1639.	54	1449	1912	1991	2024	2382	2884	3367	3719	4181
YARMOUTH,.....	1638.	do.	70	.....	.....	.....	1727	2134	2232	2251	2554	2399
BARNSTABLE,....	1639.	do.	66	.....	.....	.....	2964	3646	3824	3975	4301	4805
EASTHAM,.....	1640.	June 2, 1646.	89	1331	.....	2064	659	751	766	966	955	841
FALMOUTH,.....	.....	June 4, 1686.	72	1225	1355	1637	1802	2237	2370	2548	2589	2645
HARWICH,.....	.....	Sept. 14, 1694.	70	.....	.....	.....	2857	1942	1980	2463	2930	3133
TRURO,.....	.....	July 16, 1709.	107	.....	.....	.....	1152	1209	1241	1549	1920	2002
CHATHAM,.....	.....	June 11, 1712.	85	.....	.....	.....	1351	1334	1630	2134	2334	2437
PROVINCETOWN,.....	.....	June 14, 1727.	116	.....	205	.....	812	936	1252	1710	2122	2678
WELLFLEET,.....	From E.	June 16, 1763.	97	.....	.....	1113	1207	1402	1472	2044	2337	2372
DENNIS,.....	From Y.	June 19, 1793.	76	.....	.....	.....	1408	1739	1997	2317	2942	3213
ORLEANS,.....	From E.	March 3, 1797.	85	.....	.....	.....	1095	1248	1348	1799	1974	1788
BREWSTER,.....	From H.	Feb. 19, 1803.	80	.....	.....	.....	.....	1112	1285	1418	1522	1503
MASHPEE,.....	.....	June 14, 1763.	.....	.....	.....	.....	155	.....	150	.....	.....	.....

* Orleans had been taken off.

† Including 62 Indians.

‡ Brewster had been set off.

Very many on the Cape still own and dwell on the lands occupied once by their early ancestors. Although its inhabitants have spread in every direction, from Nova Scotia to the Gulf of Mexico and beyond it, and have gone forth in great numbers into all the new States and Territories, some of each original family are, with few exceptions, yet the representatives of the name on the Cape. We have said, no race of people, as a whole, are purer English. Whether there be any advantage in this or not, there has been, until within a short period scarcely any admixture of foreign blood. It may be owing partly to this circumstance, and partly to their locality, that they are still the same bold and able navigators; the same industrious and enterprising fishermen; the same staid, sober, honest, well-balanced-minded people, as in times of yore; and, wherever found, (and where are the descendants of Cape Cod *not* found?) are buoyant with hope, full of activity, fearless of danger, noted for integrity — as a general rule. Notwithstanding the tendency of the youthful mind to maritime or commercial pursuits, a good proportion of the young men of these towns have, in the several periods of our history, been called to fill other spheres of usefulness either at home or abroad — many of them places of high and distinguished trust. Numbers have enjoyed collegiate advantages — a fact to which we advert as a proof that the best facilities for a good education were appreciated: not because we suppose that a collegiate course is indispensable to talent or greatness.¹ Although in

¹ It were an error to suppose that any one by being denominated an *Alumnus* of any institution, necessarily springs forth a learned man, lawyer, clergyman, physician, or statesman. He must, to become truly learned or great, *educate himself*. The best education of

the earlier days of our history, a good proportion of our leading men had received collegiate honors, the clergy almost invariably, numbers of our strongest patriots and most useful and influential citizens had not. Self-education did the work, presenting

“A combination and a form indeed
Where every god did seem to set his seal
To give the world assurance of a MAN.”¹

The Cape has long been distinguished for its peaceful, neighborly quiet, and exemption from the acerbities of litigation. We are inclined to believe it was always so; for most of the cases of litigious strife that appear in its earliest days were mandatory from the seat and influence of Government — with the measures and views of which, at times, leading men on the Cape did not readily acquiesce. If questions of difficulty arise — and they must necessarily arise sometimes in a community so largely engaged in maritime pursuits, they are, perhaps, oftener settled amicably by arbitration than in any other county. A writer, more than a hundred years ago, intimated that “the smallness of court-fees multiply lawsuits in the Province, and are a snare for people to become litigious.” The same writer tells that at the time of his writing, 1749, were existent certain traits that seem to corroborate the preceding: he says, “Generally in all our colonies, particularly in New England, people are much addicted to quirks in law;” also that “a very ordinary country-

the truly educated is always chiefly their own work. The world marvel at a “self-taught” individual, and often seem to forget that all who are really learned, are, whatever extraordinary advantages they have enjoyed, also *self-taught*.

¹ See Appendix N.

man in New England is almost qualified for county attorney in England." We accept from Mr. Douglass the latter compliment; but, for the Cape, repudiate the rest. The frequent immediate adjournment of our courts, *sine die*, after the formalities of opening sustains us in the disclaimer.¹

If the general view of the Cape, which we have attempted in the present volume, shall prove instructive or interesting to any of the descendants of the early settlers, and we shall in the view of the public have accomplished any thing worthy of our progenitors, the humble labors of the compiler will not have been in vain. Let none, because of the humble position which this peninsula may have seemed to occupy in the apprehension of divers persons who have professedly written the history of the State or Country, look with contempt upon the past. Our fathers had an important mission to perform; and generally they acted well their several parts.

If, perchance, any of the descendants of noble sires are indifferent to the subject, it only proves them unworthy of their paternity. Some may truly have, for aught we know, (they, in such case, probably think they have,) good reasons, not to be promulged, for taking no interest in "the rock from whence they were hewn:" but even such may learn something from history, and should be admonished that "contempt for the past is by no means the beginning of wisdom." The policy that would incline to nonchalance and indif-

¹ We cannot ascertain that a single instance ever occurred of the infliction of capital punishment within the county.

ference in respect to a memorial in honor of the past, is not becoming a genuine son of Cape Cod.

“The man whose eye
Is ever on himself, doth look on one
The least of Nature's works — one who might move
The wise near to that scorn which wisdom holds
Unlawful ever.”

But, all — *all* wish well to the undertaking. It may be — it *must* be so. We, then, who know the toils of the way, and the difficulties to be overcome, may, with grateful acknowledgments to those whose efficient countenance has encouraged us in our labors, be permitted to suggest, that so far as the wish is a mere abstract,

“That wishing well hath not a body in't
That may be felt.”

We proceed to the second volume — the Annals of the Towns, animated and strengthened by the countenance and sustenance of the patriotic and liberal; simply remarking, that having endeavored hitherto to follow the order of events from the first knowledge had among civilized nations of the existence of Cape Cod, to the present time — noting events so far as seemed necessary to a general view of the history of the Cape as a county, and as furnishing an architectural base on which shall appropriately rest the more minute details of the several towns which shall constitute the column in due proportion, much of importance remains.

APPENDIX.

NOTE A. (p. 590.)

PORT OF ENTRY, CUSTOMS, AND COLLECTORS.

It may be a question with the reader, why "measures were concerted in 1809, to secure for the county a PORT OF ENTRY," whereas in 1749 "collectors of excise were chosen for each county by the council and house of reps., and Barnstable was then made a port of entry; but it must be borne in mind that the circumstances of the country have changed from time to time, and the laws have not been uniformly the same. In fact, the terms in use have not at all times had the same meaning. Until 1672, "no custom house had been established any where upon the continent;" but the subject was under consideration by the parent government which, in 1675, "resolved to settle collectors in New England as in other places." Whilst the revolution was in progress, a law of the General Assembly, 1776, after the royal commissioners of customs had joined in the evacuation of Boston, was passed entitled "An Act for establishing a Naval Office;" and an appointment of "naval officer" was made for this county, by ballot of the two houses, Nov. 27, the same year, JOSEPH OTIS being the appointee. WILLIAM TAYLOR succeeded Gen. Otis, Feb. 6, 1779. SAMUEL HINCKLEY was in office 1789; and then again Gen. Otis, appointed by Gen. Washington, was collector to the time of his decease. His son WILLIAM OTIS succeeded in 1810, who was succeeded by ISAIAH L. GREEN in 1814 or 1815. HENRY CROCKER succeeded to Mr. Green, 1837. EBENEZER BACON was appointed 1841, superseded by JOSIAH HINCKLEY in 1845, Mr. Hinckley holding two years, and SYLVANUS B. PHINNEY receiving the appointment in 1847. Mr. Phinney held 2 years, and Mr. Bacon again appointed in 1849, was succeeded by Mr. Phinney in 1853 who remains to the present time.—That Barnstable was not a port of entry in the extended

meaning of the term, when the convention was held in 1809, is sufficiently apparent. By reference to the act of Congress, July 31, 1789, it appears to have been provided, "That for the due collection of duties, &c. . . there shall be established districts, ports, and officers. . . In the State of Massachusetts shall be 20 districts and ports of entry." Barnstable is named as the *Seventh*; and thus far, and elsewhere, in the act, the words "district" and "port" are used as convertible terms. Subsequently the same act says, "To the district of Barnstable shall be annexed the several towns or landing-places of Sandwich, Wellfleet, Provincetown, and Chatham as *ports of delivery only*; and a collector for the district shall be appointed to reside at Barnstable." "To the district of Edgartown (9th) shall be annexed the town of Falmouth as a port of *delivery only*." In the next section of the act, the "ports of entry" are also made "ports of delivery" to certain ports and districts; and Boston and Plymouth are the only "districts" in (what is now) Mass. proper, not so restrained. The same act says, "The district of Barnstable shall include all the shores and waters within the County of Barnstable, excepting the town of Falmouth."—Subsequently, at the 2d session of the 1st Congress, chap. 35 of the Statutes at Large, appr. Aug. 4, 1790, again *districts* the coast, and Falmouth is annexed "to the dist. of Barnstable, as a port of delivery;" and it is provided that "none but ships or vessels of the U. S. shall be permitted to unlade at any other than the ports following, viz.: New Bedford, Dighton, Salem and Beverly, Gloucester, Newburyport, Marblehead, Boston, and Plymouth." This last act was repealed by the celebrated Revenue Act of March 2, 1799, which re-districted the country, making 22 districts in Mass., (then including Maine,) and provided more particularly for every requirement of the revenue service. This last act is, essentially, the present law of the land, tariffs excepted. It re-enacts the then existing provisions in regard to this county, it being still prohibited from the privilege of unlading any foreign ship or vessel; and this fact, doubtless, accounts for the assembling of delegates in 1809. — We have taken some pains to unravel the intricacies of this question, and to effect this made our appeal to a gentleman than whom we know of no one better able to aid us. For the suggestions leading to our conclusions, we are gratefully indebted to his politeness. We refer to Hon. HENRY CROCKER of Boston; and further gather from his responses, that *when* Barnstable was permitted to receive entry of merchandise from foreign bottoms does not clearly appear; but that it has long been in practice with the knowledge of the Government.

Neither does it appear when Falmouth, Provincetown, Wellfleet, or Chatham were made ports of entry, unless under the act of March 3, 1817, which gave every "collector authority with the approbation of the secretary of the treasury, to employ, within his district, such number of proper persons as deputy collectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs," &c. It has been decided by the Sup. Jud. Ct. that deputy collectors "may perform any service which the collector might perform if present;" so that, constructively, the locating a dep. coll. at each of the above four outposts, is virtually establishing a custom house there, and giving to those several places all the privileges that Barnstable has. Such, at least, has long been the effect. Not only U. S. vessels, but foreign, have entered and unladed at each place. — From the establishment of the districts, 1789, the tenure of the office of collector was indefinite, subject to removal by the Executive, until the act of May 15, 1820, which provided a four years' tenure for all. — We may not omit to mention that formerly a Comptroller General, whose business it was "to superintend the conduct of the *Naval, Impost and Excise Officers*, so that Gov't may at any time have from him accurate statements of the navigation, trade, and commerce of the State, the revenue derived therefrom, and the expense of collecting the same," existed; and hence we find in 1782 Joseph Nye mentioned as Excise Officer, and in 1789 Jonathan Howes, as distinct from Naval Officer.

NOTE B. (p. 613.)

MAILS, POSTS, TRAVEL.

It is difficult to realize that we are now, 1859, in more intimate and close contact with Berkshire and even Maine, in fact with New York and Pennsylvania, than the Cape was with Plymouth during all the time that it remained the seat of justice, and the only place where might be exercised the right of franchise; and that it is easier from the extremest town on the Cape now to visit Boston and return, than it was once to perform the necessary act of domestic preparation by carrying a grist from Sandwich to Plymouth to be ground. And yet it is well remembered by many now living, how even the travel from Barnstable to Plymouth was the hard journey of a day, and that another toilsome day's ride was required to reach Boston: nor have

we forgotten that important character, the post-rider, who took the entire mail in his saddle-bags, (and lean they were too,) and occupied the week in going down the Cape and returning; and a mail once a week, when the boon was first granted, was a great desideratum, a matter of general gratulation. Another point gained at a later day, was that of a mail as far as Sandwich once a week from New Bedford. The clock could not better indicate the hour of 5 P. M., than did the regular appearance of Mr. Terry on his slow, but sure and well-fed horse (the horses of the *Friends* are always well kept and sleek, and possibly their capacity for swiftness of locomotion was never put to the test) with his diminutive saddle-bags that seemed to challenge the observation of every one touching the question of their entire emptiness, every Friday afternoon.

Whilst on this subject, we may as well note that "a post office was ordered to be established in Boston," March 30, 1693; and, May 7, 1696, it was "ordered that a salary of £25 per annum be allowed to Andrew Hamilton Esq., Postmaster General of North America,"—a work of Massachusetts enterprise. The post accommodations on some of the great thoroughfares may be inferred from the following which was regarded as an important feature of the progress of the age: "Post Office, New York, Feb. 3, 1755.—It being found very inconvenient to persons concerned in trade, that the post from New York to New England has heretofore set out but once a fortnight during the winter season; the stages are now altered, by order of the Postmaster General, and the New England post is henceforth to go once a week the year round; whereby correspondence may be carried on, and answers obtained to letters between N. Y. and Boston in two weeks, which used in winter to require four weeks; and between Philadelphia and Boston in three weeks, which used to require six weeks.—Alex. Colden, P. M." Post offices and posts were first established in this county, May 13, 1775; and, as may be supposed, the progress of the post-rider began at once to be watched here as elsewhere with great interest. He was every where an important character. His appearance at any town or village was announced by the blast of a horn. In this respect he was literally his own trumpeter. The extent of mail privileges in this county at that time, may be learned from the following programme:—

"PLAN from Cambridge to Falmouth: To set off from C. every Monday noon and leave letters with Wm. Watson Esq., postmaster at Plymouth, on Wed. 9 o'clock A. M.; then to Sandwich and leave letters with Mr. Joseph Nye 3d, Wed. at 2 o'clock P. M.; to set off

from S. at 4 o'clock, and leave letters with Mr. Moses Swift at Falmouth, Thurs. at 8 o'clock A. M. On the rider's return, to set off from thence on Thurs. at noon, and reach S. at 5 o'clock; set off thence Fri., 6 o'clock A. M., and reach Plymouth at noon; set off from P., Fri. at 4 P. M., and leave letters with Mr. James Winthrop at Cambridge on Sat. evening."

The arrival of a mail stage-coach, was, in some parts of New England, as late as 1781, quite an incident of the day; but that wonderful convenience was not known on the Cape until long after. The facilities now afforded by railroads, stage-coaches, cheap postage, &c., contrast strangely with former times. The post offices in the county were in 1850, as follows:—

In Sandwich, 7, viz.: Sandwich, Pocasset, Monument, E. Sandwich, N. Sandwich, S. Sandwich, and W. Sandwich. In Falmouth, 6, viz.: Falmouth, E. Falmouth, N. Falmouth, W. Falmouth, Woods' Hole, and Waquoit. In Barnstable, 8, viz.: Barnstable, W. Barnstable, Osterville, Cotuit, Cotuit Port, Hyannis, Hyannis Port, and Marston's Mills. In Yarmouth, 4, viz.: Yarmouth, Yarmouth Port, W. Yarmouth, and S. Yarmouth. In Dennis, 4, viz.: Dennis, S. Dennis, E. Dennis, and W. Dennis. In Harwich, 4, viz.: Harwich, E. Harwich, S. Harwich, and W. Harwich. In Chatham, 2, viz.: Chatham, and N. Chatham. In Orleans, 3, viz.: Orleans, S. Orleans, and E. Orleans. In Brewster, 3, viz.: Brewster, W. Brewster, and E. Brewster. In Eastham, 2, viz.: Eastham, and N. Eastham. In Wellfleet, 2, viz.: Wellfleet, and S. Wellfleet. In Truro, 2, viz.: Truro, and N. Truro. In Provincetown, 1, viz.: Provincetown.

NOTE C. (p. 616.)

NARRAGANSET SOLDIERS.

THE town of Gorham, Me., was inc. 1764; but began to be settled much earlier. The first man who took up his residence there was Capt. John Phinney from Barnstable, who was father of Col. Edmund Phinney of the Continental army. In 1745 the inhabitants, 18 families, were driven into garrison by the Indians, and suffered severely. The Rev. Benj. Crocker was the first minister employed to preach at G.; and Rev. Solomon Lombard of Truro was the first settled, ordained Dec. 26, 1750. "The records of the Narraganset

Grantees, No. 7 township, June 6, 1733," show a long array of Cape names. It will be recollected that "of Capt. Gorham's company in the Narraganset battle, 36 were killed, and 41 wounded." The "grant for services by Narraganset soldiers," was to the following; "*Barnstable*: Mary Dovener, Sam'l Barnam, John Carmon, Sam'l Linnell, George Lewis, Matt. Fuller, John Hathaway, Samuel Fuller, Jacob Hinckley, Thos. Fuller, Joseph Higgins, Sam'l Hinckley, Sam'l Allyn, Sam'l Davis, Caleb Lombard, Joseph Gorham, Eben'r Goodspeed, Lot Conant, John Clark, Josiah Crocker, Sam'l Bryant, Increase Clap, Rd. Ellingham, Joseph Taylor, Sam'l Child, John Duncan, Bart. Hamblin, Eleazer Hamblen, Thos. Huggins, John Phinney, Joseph Bearse, John Lewis' heirs, Josiah Davis, Eben'r Clap, Jedediah Lumbert, Sam'l Cops, Joseph Blush, John Howland, Shubael Gorham Jr., John Goodspeed, John Lewis for bro. Benj.

"*Yarmouth*: Sam'l Baker, Wm. Chase, John Thacher, John Hallett, John Matthews, Thos. Thornton, Edw'd Gray, Sam'l Hall, Jona. Smith, Sam'l Jones, John Taylor, Thos. Felton, John Gage, Wm. Fellows, Wm. Gage, Ananias Wing, John Pugsley, Daniel Baker, Rd. Taylor, Wm. Gray, Capt. JOHN GORHAM, Thomas Baxter, James Maker, James Claghorn, Joseph Hall, Nath'l Hall, Laramy Hedge, Joseph Wildens, Sam'l Thomas, John Crowell, John Chase, Henry Golds, Rd. Lake, Jabez Gorham, Henry Gage, Everton Crowell, Jona. White. [In 1741, Wm. Gray is put down for his father Edw. Gray's heirs; Sam'l Baker for his father Sam'l; and Shubael Gorham for his father John.]

"*Eastham*: Timo. Cole, Jere'h Smith, Jona. Grew, Thos. Paine, Jedediah Higgins, Eliakim Higgins, Joseph Downings, Benj. Downings, John Walker, John Myrick, Nath'l Williams, Jos. Doane and Sam'l Doane for their father Sam'l Berry, Jno. Freeman, Jona. Sparrow, Jno. Knowles, Sam'l Atkins, John Doane, Thos. Mulford, David Doane, Josiah Cook, Joseph Harding, Geo. Brown. [In 1741, Timothy Cole is put down for his father Timo.; and Geo. Brown for his father Geo.]

"*Sandwich*: Jona. Morey, Sam'l Tobey put down for his uncle Sam'l Knott, Nath'l Wing put down for his father Nath'l, Sam'l Gibbs, John Davis, James Atkins, Jehoshaphat Eldridge."

The Hon. JOSIAH PIERCE, now of Gorham, to whom we are under obligation for ready aid in our investigations and polite attention in our late visit at Gorham, says, "Persons and families from Cape Cod, of the following names, *settled* in G.: Bacon, Bangs, Bourne, Davis, Gorham, Harding, Higgins, Hinckley, Hamblen, Lewis, Linnell, Lombard, Paine, Phinney, and Sturgis." His minutes also de-

monstrate additional names: In 1741 and 1750, lands were conveyed to Paul Crocker, Benj. Stevens, and Joseph Doane, and Thos. Knowles of Eastham; in 1751, to Eliphalet Watson, Seth Harding, and Joshua Freeman; and in 1757, to John Freeman.—Among the names of grantees is “put down the name of Jona. Lumbert of Tisbury.” Among those “driven into garrison” by the Indians, were Captain John Phinney and his sons Edmund who was shot and his arm broken, and John, Jacob Hamblen, Elipht. Watson, Eb’r Hall, Wm. Cotton, Benj. Stevens; and “the Bryant family were all either cut off or carried away captive.”

Whilst in the act of penning the preceding note, Feb. 7, 1860, the mail has brought us the following extracts copied by the politeness of R. C. Ingraham Esq. of New Bedford, from Judge Pierce’s Centennial Address at G. 1836:—“A hundred years ago, May 26, 1736, John Phinney, a son of one of the conquerors of the Narragansets, disembarked from his canoe on the Presumpscot River, with his axe and a small stock of simple provisions, attended by a son of 14 yrs. of age, with a design to make a home for himself and family in the then wilderness, but now a large and flourishing town. Having selected a spot for his future dwelling, that son Edmund, afterwards distinguished not only in our town but as a colonel in the war of the revolution, felled the first tree for a settlement.” (p. 8.) “During the revolution, Col. P. had command of a regiment under Washington, and throughout the war conducted himself with great activity, courage and prudence. Besides Col. Edmund, his brother John (the man who planted the first hill of corn in Gorham) and John’s two sons John and Ebenezer were in the revolutionary army.” (p. 20.) “The early settlers were remarkable for their longevity. The first settler, Capt. John Phinney and his wife Martha both died at the age of 87; their sons, Col. Edward lived to be 85, John 83, James 94, and their daughter Mary Gorham who m. James Irish, 89 yrs. of age.” (p. 31.) “Nearly every town on Cape Cod contributed settlers for Narraganset No. 7. The greater number, however, were from Be. Y. and E. The immediate grantees were the conquerors of the famous and far-dreaded King Philip.” (p. 11.)—A monument standing in the centre of the town, bears this inscription: “May 6, 1805. | Capt. John Phinney | commenced the | first settlement in this town | May 1736. | Gr. by the Gen. Ct. 1732 to the | Narragansett soldiers. | This | assigned to Capt. John Gorham | and 119 others | then called Narragansett No. 7. | Town inc. Oct. 30 1764.”

NOTE D. (p. 627.)

NEWSPAPERS.

THE first *newspaper* attempted in this county was the NAUTICAL INTELLIGENCER, issued at Falmouth, by Wm. E. P. Rogers in 1826, who soon removed his publication office to Barnstable, and there issued his journal under the title of the BARNSTABLE GAZETTE AND NAUTICAL INTELLIGENCER. This paper was not long continued; and the BARNSTABLE JOURNAL succeeded in 1827, under the auspices of Nathaniel S. Simpkins; passing, in 1832, into the hands of C. C. P. Thompson and Horatio Underwood, who published also, in addition to their weekly, a semi-weekly called the CAPE COD JOURNAL. The latter was continued only one year, when, 1834, Mr. Underwood became sole proprietor of the weekly Journal. This, in 1837, passed again into the hands of Mr. Simpkins, who, terminating the existence of the Journal, commenced the same year the YARMOUTH REGISTER, which has been continued, under various direction, to the present time. The BARNSTABLE PATRIOT was established by Sylvanus B. Phinney in 1830, at whose office was also printed, 1851, one year, the SANDWICH MECHANIC, published in Sandwich. The Patriot has continued, under the same direction, to the present. A paper called the SANDWICH OBSERVER was issued by George Phinney in 1845, and was continued several years. In 1851, the CAPE COD ADVOCATE AND NAUTICAL INTELLIGENCER was commenced at Barnstable by Franklin B. Goss and Benjamin C. Bowman; but in 1852 was removed to Sandwich. With some changes in its direction, Mr. Bowman has continued in charge, having associated with him since 1853 Matthew Pinkham. The PROVINCETOWN BANNER has continued to be issued since 1855, under the direction of J. W. Emery. The title indicates its place of publication. The ATLANTIC MESSENGER, commenced in 1857, at Hyannis, by Edwin Coombs, is still issued. — However grateful it might be to our feelings to award due merit to existing publications, it is not compatible with our present duty. The brief notice we give of the progress of journalism is sufficiently indicative of the comparative and general advance of the county in other respects. But the absence of these local publications previous to 1825 or 6, is no indication that the Cape people were not a reading community. Without intending to claim for them any preëminence in this respect, we may remark that previous to the time mentioned,

very few newspapers were issued except from the chief marts of commerce. The country towns, every where, were dependent on the issues from presses in our large cities; and their full proportion of these was taken.

It may be of some interest to the reader, and may serve for reference on future occasions, to state that the first printing press in the American colonies was introduced in 1638. The freeman's oath was first printed; then an almanac, and the "New England Psalms." The first newspaper printed in America was the Boston News Letter, April 24, 1704. With the exception of the Weekly Mercury, begun in Philadelphia in 1720, the only other newspapers published in America for many years, were the Boston Gazette, begun Dec. 18, 1720; the New England Courant, July 17, 1721; the Boston Weekly News Letter, Jan. 5, 1727; the New England Journal, May 27, 1727; the Rhode Island Gazette, 1732. There was none in New Hampshire until 1756. — At the time of the revolution, the following were published in Boston: the Evening Post, Boston Gazette, Massachusetts Gazette, (there were two of the name,) and Massachusetts Spy. The *Post* by Flint was a zealous whig paper, but noted for its impartiality. It ceased in 1775. The *Gazette*, by Edes & Gill, was also whig, under the patronage of leading patriots. It was continued to 1798. The *Massachusetts Gazette*, published on Mondays, by Mills & Hix, was tory, published by authority. The other, issued on Thursdays, was by Draper, who also was one of the printers of the court. The *Massachusetts Spy* was whig, and, during the war, was removed to and published at Worcester, doing good service to the cause of freedom. Newspapers at this time, and long after, were printed on coarse paper, with poor ink, and were sometimes almost illegible. All the paper manufactured was coarse — but strong. Very little, even of the best, was very white; and none very smooth. — There are now published in the United States more than two thousand different news-journals; whilst there are in Great Britain and Ireland only about five hundred; in France two hundred and fifty; in Austria ten; in Spain twenty-four; in Portugal twenty; in Belgium sixty-five; in Denmark eighty-five; in Russia and Poland ninety; in Prussia three hundred; in other Germanic States three hundred and twenty; in Africa fourteen; and in Asia thirteen.

NOTE E. (p. 627.)

MANUFACTURE OF GLASS.

THIS important enterprise is worthy of more than a passing notice; we therefore condense a brief account of it from "Reminiscences of Glass-making," prepared a few years since by Deming Jarves Esq.: — "Like their predecessors in the manufacture in other places, this company commenced in a comparatively small way — beginning with an eight foot furnace, each pot holding 800 lbs. The weekly melts did not exceed 7000 lbs., and the yearly product \$75,000; giving employment to 60 or 70 hands. As the business warranted, the capital was increased in 1854 to \$400,000. The weekly melts increased to over 100,000 lbs.; the hands employed numbered 500 persons; the furnaces were multiplied to 4 of 10 pots each; and the yearly product to \$600,000." We may add, considerable improvements and additions have since been made. The business of glass-making in Sandwich continues to enlarge, — a proof, we suppose, that it is remunerative and commanding. Another establishment has arisen, under the auspices of Mr. Jarves, and of this we may speak hereafter.

From "Jarves' Reminiscences," we gather, as of interest, the following facts: "The first effort in the manufacture of glass in the United States, was made some years before the American Revolution, by a company of Germans, in Quincy. Black metal only, and of a rude style of the art, was attempted. In 1785, was the first attempt at the making of window glass; and this was in New Hampshire. In 1787, a factory was erected in Essex St., Boston, where is now Edinboro' St., for the making of the crown window glass; but was not successful until 1803, when the State offered a bounty to encourage the manufacture, and then was produced a glass superior to the imported, and was well known throughout the country as "Boston Window Glass." In 1822, this company established its operations in South Boston, a charter from the State granting an exclusive right to manufacture for fifteen years, the capital to be exempt from taxation five years, and the workmen exempt from military duty. In 1808, the manufacture was commenced in Pittsburg, Pa., and was finally successful, so that the business became greatly enlarged both in Pittsburg and vicinity, where great advantages for fuel were presented; and the business finally extended farther west. In 1810 or 1811, a company was formed in Utica, N. Y.; but untoward circumstances

prevented success. A company was then formed in New York, whose works were located at Sandy Lake; but the undertaking was soon abandoned. In Richmond, Va., also, an unsuccessful attempt was made. It was, at this time, a penal offence, in England, to entice men of the art to leave the kingdom; and the obstacles laid in the way of procuring competent workmen were almost insurmountable. About this time, the works were started at East Cambridge which were succeeded, in 1817, by the New England Glass Company. These works became highly prosperous. In 1820, the business was attempted in New York city, and was, in 1823, removed to Brooklyn, L. I. The same year works were commenced at Kensington, Philadelphia. Other attempts were made in the Atlantic States, up to 1840; but without great success. Prior to 1852, no less than forty-two different attempts in the manufacture of flint glass, had been made in the Atlantic States: twenty-eight had failed entirely; two retired; two retired without loss, having been measurably prospered; and ten were still in operation. The manufactory in SANDWICH has been *eminently prosperous*.

NOTE F. (p. 628.)

COASTING TRADE IN WINTER.

THE perils of sea-going are many; but perhaps few classes of men are more exposed to hardships than those employed in the coasting trade in *winter*. Seamen engaged in the fisheries, their season over, perhaps generally dismantle their vessels and relinquish their employment upon the sea until spring; some engage on board other vessels in other business; but if others undertake coasting, they incur great hazards and sometimes meet with most disastrous issues. One of these events, occurring Jan. 16, 1826, we are reminded of at this date, and as it graphically illustrates the risks of property and life upon the coasts in the winter season, we will in condensed form present the narrative as furnished by the able pen of the late Rev. E. S. Goodwin for the pages of the *Token* for 1833. "In 1826-7 the weather was uncommonly severe for some weeks. It was a boisterous, cold and gloomy season. In the little harbor of Sandwich, some of the vessels were dismantled for the winter, others were laden and waiting a relaxation of the weather, to effect their passage. A period of severe cold is here commonly succeeded by rain. The north-west

wind which brings 'the cold out of the north,' gives place to a wind from the southerly point, which comes loaded with a copious vapor and pours it down like a deluge. It so took place now. About noon, Jan. 16, the rain ceased and the weather, comparatively warmer, gave some prospect of a few days in which business might be done. In the afternoon the wind was soft, but gusty. The air was loaded with vapor, and, in the higher regions, clouds were seen as if pursuing each an inward impulse of its own. On an eminence, not far distant, stood a solitary individual with his face towards the harbor—an old experienced master in the coasting trade. Accosted in the customary style of salutation, he answered not a word. His eye was intently following the motions of a small schooner laden with wood, which was slowly moving towards the mouth of the harbor. The *Almira* rounded the point, and hoisting sail stood towards the north. The old seaman lifted his hands and exclaimed, 'Gone out! he will never come in again!' It was remarked to him that the wind was southerly; but he paid no attention—departing with a sorrowful countenance. The wind was vacillating; and the vessel seemed as if conscious of the uncertainty of the direction in which the wind would establish itself. The master of the vessel was Josiah Ellis. He was one whose noble frame seemed able to abide the fiercest pelting of the pitiless storm. He had often encountered the violence of the elements, and had as often conquered by the simple energy of a vigorous constitution. With a southerly wind and a favoring tide he had launched out for his voyage with no crew but himself, his son Josiah, and John Smith a seaman. The *Almira* held on her way with slow progress; but the wind was fitful. Having passed Monimet Point, and having Plymouth light for a landmark, she was working slowly across the outer part of the bay, when suddenly the master's voice was heard calling all hands;—in the north-west was a clear, bright, cold sky about half up from the horizon—the clouds were hastening towards the south-east, and new stars were appearing at each successive moment in the northern and western section of the heavens. The sight, though beautiful, was appalling, indicating a rapid change to severe cold. The first impulse was to run into Plymouth for shelter; but as that harbor lay directly in the eye of the wind, there was little encouragement that it could be reached. They tacked once or twice to obtain an entrance, but having little sea-room, and the wind becoming more violent and the cold more severe, they were foiled, till in one of the sudden motions of the vessel the main boom was wrenched from the mast. The halyards were let go and the mainsail came down crash-

ing and crackling, for it was already a sheet of ice. To furl or even to gather it up was impossible. The vessel was laid to the wind, the frozen foresail being braced fore and aft and the jib loosened. It was not in their power to haul it down. The wind soon cracked the covering of ice, rent the canvas, and finally tore it in pieces. The vessel obeyed her helm, came up to the wind, and so remained. But the whole sky was now swept clear as if by magic, the moon and stars brightened, the air was charged with intense cold, and if perchance the face was turned towards the wind it was not simply cuttingly severe but the frozen moisture of the atmosphere seemed to have been converted into needles of ice. The mariners had been early wet with the moisture of the air; then drenched with the spray; all was now congealed upon them. Their garments and hair were hung with icicles or stiffened with frost, and they began to feel the near approach of that stern power which chills and freezes the heart. In a small vessel, its sails now useless encumbrances, spars and rigging covered with ice, they stood all exposed to the severest rigors of a winter's sky and winter's sea, with not a dry garment left. They sought the cabin, succeeded in lighting a fire, and hovered over it for a few moments; but their perils were fearfully increasing—the deck as well as rigging and sails became encumbered by ice. The spray froze wherever it struck; the smallest ropes had assumed the appearance of cables; the folds of the sails were filled with a weight that careened and threatened to sink the craft, and there was no remedy. To proceed on the voyage was impossible, to gain shelter in Plymouth was an equal impossibility, and they thought of their own harbor. Although impossible to start a rope and difficult to make the heavy and encumbered vessel yield to her helm, they nevertheless succeeded in getting her about, and as wind and tide now set together they cleared Monimet Point and came round once more into Barnstable Bay within eight miles of their own homes. In the moonlight, as they floated along, they could discern the land adjacent to the master's dwelling, and earnestly longed for day in hope that their condition might be discovered and relief obtained. Long and wearisome was that perilous night! The cold still increased as day approached; they were disabled from effort; the ice continued to accumulate, and before the dawn of day they had swept by the home they loved. In the dim distance they saw the smoke curling from their chimney tops; the impossibility of receiving assistance from that quarter was apparent; the vessel must needs be abandoned to its fate—for the last remaining sail had now yielded to the violence of the blast and its

accumulated burden of ice, and hung in shattered and heavy remnants from the mast. The vessel turned nearly broadside to the wind and floated rapidly along as if intent on some spot where it might be wrecked. The harbors of Sandwich, Barnstable and Yarmouth were passed, and the vessel floated onward to its fate. From a portion of the town of Dennis, there makes out northerly into the sea, a reef of rocks. On the westerly side of this is a sandy beach on which a vessel of tolerable strength might be cast without being destroyed; on the easterly side is a cove having a similar shore, which is a safe harbor from a north-west wind. But the reef itself is dangerous. Early in the day, Jan. 17, an inhabitant of Dennis beheld from an eminence this ill-fated schooner, raised an alarm and hastened to the shore with as many persons as the sudden emergency allowed to collect. Most of these were seamen themselves; they knew the dangers and had the hearts of seamen. The vessel was rapidly approaching the reef. She was so near that they could look on board, but they saw no man — nothing but the frozen mass; at best, experienced eyes could not determine whether certain objects were the common fixtures of the deck or ice-cased human forms. The thought that there might be living men on board who if roused might change the direction of the vessel, caused a united shout, clear, shrill, and alarming. The three men emerged from the cabin, shivering, meeting at every step a dashing spray frozen ere it fell, and exposed to a cutting wind, as if they were

‘all naked feeling and raw life.’

‘Put up your helm,’ exclaimed an aged master, ‘make sail and round the rocks.’ No movement was made; it was impossible. The men on board felt the rising of their vessel for the fatal plunge, and clung instinctively to whatever they could lay hold of. The encumbered hulk was lifted as a dead mass on a powerful wave and lay full length upon the ledge. The three were now covered not with spray, but with the frozen substance of the waves which made a highway across the deck, filled the cabin, and left no place of retreat but the small portion of the quarter abaft the binnacle, and a little space forward near the windlass. To the former place they retreated, drenched, shivering, ready to perish, expecting each moment the fabric under their feet to dissolve. The agonized spectators resolved to make an effort to save them; a boat was procured, and manned by a hardy, noble crew, risking their own lives for their imperilled but unknown fellow-men. The surf ran heavy, composed of sludge-like floating snow. To shove off, great effort was required, and the men must wade

into the semi-fluid mass for the purpose; and scarcely had they reached the outer edge of the surf, when a reflux sea conquered and filled the boat. A long and slender warp cast from the shore, reached one of the men, was attached to the boat, and all were drawn back again by those on shore. With soul-absorbing interest these proceedings were witnessed by those on board the schooner; they saw the failure, and their hearts seemed to die within them. One was then seen to go forward and sit down on the windlass. 'Rise up, rise up, and stir yourself,' was the exclamation of many voices on the land. Seamen well know that he who exposed to severe cold sits down will sleep, and that such sleep will be that of death. Smith paid no attention to the call; he was soon incrustated with ice and undistinguishable. The father and son now stood alone; but the deadly torpor was creeping over them. They still endeavored to keep themselves in motion; but resolution struggling against nature fails at last. The father went forward and seated himself as Smith had done before. Again the warning cry was raised in vain. 'We will save him yet,' was the resolve of the sympathizing spectators; and the boat was again manned, again launched, and reached beyond the surf in safety. But to get on board was impossible. They spoke to the younger Ellis, and heard his voice in reply. The violence of winds and waves dashing on the rocks and over the wreck was such that they could approach no nearer; but they encouraged the young man to keep awake — assuring him that the rising of the tide would lift the vessel from the rocks and that they would watch and embrace the first practicable means for his deliverance. It took place as predicted; the rising tide brought the vessel to a stand, and the people with much effort got on board at 4 P. M. Young Ellis was on the quarter deck holding on to the tiller ropes to which his hands were frozen. His feet and ankles were encrusted with ice, and he seemed scarce conscious of the presence of his deliverers. They bore him in their arms, and as they passed his father's body he faintly uttered 'There lies my poor father;' then relapsing into a stupor, he only awaked after, being conveyed on shore, the customary means were employed for his restoration. Smith's body had been washed away. The younger Ellis was, through the humane attentions of strangers, restored, but with the ultimate loss of the extremities of his hands and his feet. As may well be supposed, the memory of that fearful night and day remained; and it had one grateful source of reflection in the value of that kindness of man to man which leads to the exposure even of life for the shipwrecked stranger. A child of their own

could not have been more kindly watched over, carefully attended, or liberally provided for. Surely there is a recompense for such, with Him who hath said, 'Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.'"

NOTE G. (p. 640.)

SECOND CENTENNIAL AT BARNSTABLE.

WE regret finding that we have so little space in reserve for the record of the doings at this anniversary. The festival, although suggested by citizens of Barnstable, and chiefly under their direction, was of a comprehensive character—the coöperation of citizens of other towns on the Cape, and descendants from the Cape resident in any and every part of the land being invited. The city of Boston participated largely in giving interest and effect to the occasion; a meeting of the citizens of Boston and vicinity, native born of Barnstable County, and their descendants, held at the Supreme Court Room, appointing a committee for the purpose, consisting of Messrs. William Sturgis, B. F. Hallett, Thomas Gray, George Hallett, Joshua Sears, Francis Bacon, John L. Dimmock, Lemuel Pope, and Benjamin Burgess. Preparations were munificently made, and on a large scale. As the time approached for this grand jubilee, the interest in it was widely and deeply felt; and steamers to convey the numerous guests, as also bands of music and military escorts were in requisition. The day was brilliantly beautiful. Said a distinguished son of Barnstable, in noticing the events of the occasion, "Not a speck obscured the horizon, and the softness and splendor of the atmosphere seemed to have been given by a beneficent Providence as an approval of the pious, filial duty paid to the memory of illustrious ancestors. . . . Never were the quiet streets and fields of Barnstable so densely populated. It was a living, moving mass, as if Boston Common on a great gala day had dropped down upon us." Hon. Nymphas Marston was president of the day; Hon. Henry Crocker acted as chief marshal; and Hon. David Crocker was chairman of the committee of arrangements. The Rev. Freeman Parker, of Maine, a native of Barnstable, was one of the chaplains of the celebration, and the orator selected was John Gorham Palfrey, D. D., LL. D., also of Cape descent. Never before was there such a

cordial greeting as between the returning emigrants from almost every section of the Union, and the permanent residents — never were congratulations more sincere mingled upon the parent soil. Every door was opened in hospitable welcome. The services at the meeting house were not less interesting by the use of an old version from the veritable edition of 1609 of Sternhold and Hopkins, to the tune of Coronation.

“Attend, my people, to my lawe,
And to my words incline :
My mouth shall speake strange parables,
And sentences diuine,” &c.

In the dining pavilion, the great “family party” of just fourteen hundred and fifty-eight persons, including the ladies, were comfortably seated at the tables, and presented a magnificent picture. After dinner, the intellectual repast was opened by the president of the day, in a happy address — salutatory and congratulatory ; toasts were given and speeches made by Gov. EVERETT in his most eloquent strain, by Chief Justice SHAW who impressively and affectingly recurred to his early associations, by Dr. THACHER, by Hon. WM. STURGIS happily, in sentiments and style that suited the occasion, Hon. ROBERT C. WINTHROP, Hon. B. F. HALLETT, Mr. WM. F. OTIS, and others. Letters were also read from Judge MELLEN, Hon. H. G. OTIS, Ex-President J. Q. ADAMS, Judge STORY, Judge JOHN DAVIS, Judge WILDE, Judge DEWEY, Lt. Gov. HULL, Hon. GEORGE BANCROFT, Hon. JOSIAH QUINCY, &c. — The closing scene — the ball, was a splendid affair. The decorations of the ball room, the pavilion, &c., were in fine taste. A full account of this celebration was published by S. B. Phinney Esq., in a pamphlet of about 100 pp., 1840.

NOTE H. (p. 654.)

CAPE COD RAILROAD.

THE CAPE COD BRANCH RAILROAD, incorporated in 1846, was opened in 1848. Its length at that time, from Middleboro’ at its connection with Fall River and Old Colony Railroad, to its termination in Sandwich, was 27 miles. The cost up to Jan. 1, 1850, was \$616,760. The par value of the shares, \$100 ; had a market value

of \$47. The receipts, in 1849, were, from passengers, \$35,430.47; from freight, \$14,972.74; from mails and rents, \$879; total, \$51,282.21. The running expenses were, \$31,145.98. Net, \$20,136.23.

The number of passengers carried in 1849, was 66,825. No accident occurred. No dividend was declared. By a report made, June 1, 1855, it appeared that the receipts, the previous year, had been, from passengers, \$89,129.18; from freight, \$21,968.13; from mails, \$3,241.18; from express, \$1,307.37; from rents, \$254.22: total, \$115,899.98. Expenses, \$59,160.47. Net, \$56,739.51.

A statement was further made, as follows: Interest on the funded debt, \$10,800; interest on floating debt, \$3,476.36: total, \$14,276.36. Balance applicable to dividends, \$42,465.15; out of this a semi-annual dividend payable in stock, Feb. 1, 1855, of 3 per cent. or \$1.80 per share, has been declared, \$16,200: balance, \$26,265.15. The extension from Sandwich to Hyannis, 18 miles, including wharf, new engines and cars, has cost, \$324,057.99. The road from Middleboro' to Sandwich, 28 miles, cost, \$500,000. Total cost of the 46 miles, \$824,057.99.

An extension of the road had, as will be seen, occurred at the time of this report, which connected with a steamboat line to Nantucket. The cost of the road and equipments was, as appears, less than \$18,000 per mile: less than the cost of any other railroad in the State, and less than one half the average cost of all the railroads in Massachusetts.

NOTE I. (p. 660.)

CAPE COD ASSOCIATION OF BOSTON.

THE first anniversary of this association was held at Assembly Hall, Boston, Nov. 11, 1851. After a chaste and happy introductory address by the president, Hon. DAVID SEARS, an oration was pronounced by H. A. Scudder Esq., and the balance of the evening was occupied by appropriate toasts and speeches — the first regular toast being —

Cape Cod Our Home. — The first to honor the Pilgrim ship, the first to receive the Pilgrims' feet; she is the first and the last, and always the dearest in the memory of her children every where!

This toast was rapturously received, and nine cheers were spon-

taneously and enthusiastically given, all present starting at once to their feet. The following song, written for the occasion, was then sung by the entire company, the accompaniment being played by the band —

Tune — "HOME, SWEET HOME."

The home of our sires, where the Pilgrims first trod;
Where they first offered thanks for their safety to God;
That home we will cherish; their memory revere;
Their spirits, it may be, are hovering here.
Home, home, the Pilgrims' home,
We ne'er can forget thee, our ocean-bound home.

The home of our childhood! in fancy we see
Its welcoming arm ever stretched to the sea;
Its beacons are blazing, its hearts true and warm,
The sailor's sure refuge, when loud howls the storm.
Home, home, our childhood's home,
We ne'er can forget thee, our ocean-bound home.

Wherever our footsteps in manhood may roam,
We will fondly look back to our forefathers' home,
And cherish the thought of that sheltering bay
Where, rocked by the billows, the Mayflower lay.
Home, home, dearly loved home,
We proudly can say, there is no place like home.

Addresses were made by Hon. JAMES SAVAGE, Chief Justice SHAW, Hon. WILLIAM STURGIS, Col. SAMUEL SWETT, Hon. JOSIAH QUINCY who humorously alleged his claim to be considered of Cape Cod lineage, GEORGE S. HILLARD Esq., and others.

NOTE J. (p. 662.)

CELEBRATION AT YARMOUTH.

THE third anniversary of the Cape Cod Association of Boston, August 2, 1854, claims a brief notice. — The visitors were met at the railroad depot at Yarmouth by numerous inhabitants of that town, and vicinity, and were presented, in an appropriate address by S. N. SMALL Esq., in behalf of the citizens, with a cordial greeting. The speaker expressed "the gratification of us who remain on the old homestead" at the organization of a society "by those of our brothers who have

gone out from amongst us to seek their fortunes elsewhere, and who by their talents, energy and enterprise have won for themselves a high and honorable position in almost every department of human effort, 'for the purpose,' to use the language of one of your number, 'of cultivating the social virtues, commemorating the history of the past, and perpetuating those principles that have somewhat distinguished the inhabitants of the Cape ;'" and concluded by extending, in behalf not only of the people of Yarmouth, but "of Cape Cod, every town and village of which is represented here, our warmest congratulations, and a hearty, old-fashioned, Cape Cod welcome." His Honor, the CHIEF JUSTICE, as the senior member of the Association present, felicitously replied — thanking the inhabitants for the agreeable and gratifying invitation previously extended, and for the present welcome reception. He said, —

"Sir, I present to you that branch of the old family, male and female, who, at various times and upon various prudential considerations, have departed from the family mansion and ancient homestead, and taken up their abode, for a time, elsewhere ; who the better to cherish their mutual attachment to their dear native land, and the homes of their childhood, have united themselves under the name of the Cape Cod Association.

A pretty large array of visitors, I must confess, Mr. Chairman. But permit me to assure you, and all your friends here, from my own personal knowledge, that there is not one visitor here, male or female, whose heart is not deeply penetrated with the tender and endearing sentiment, at once joyous and sad, which makes up the indescribable charm of home. But, sir, although this part of the family whom I now present to you constitute a pretty large body of visitors, yet, I judge from appearances all around me, that the ancient household was expecting company about this time, and were determined that the guests should not outnumber the host ready to receive them ; nor outstrip them in manifestations of courtesy ; and I am assured by every thing around me and before me, that the members of the household are all animated with this same common sentiment of brotherhood, which has brought the visitors home.

We come, sir, to unite once more with you, in expressing our attachment and veneration towards a race of progenitors whose memory we shall ever gratefully cherish.

We come to pledge to each other the renewal and perpetual continuance of those bonds of friendship which, commencing with our earliest existence, shall terminate only with our latest breath.

We come to express the earnest and sincere hope that the same feelings of friendship and brotherhood which animate us may extend to our latest posterity."

The station house of the Cape Cod Railroad was handsomely decorated with flags and streamers, and the walls of the building were

surmounted with shields bearing the names, each in its place, of every State in the Union, and in the centre of the group the motto "*God and our native land ;*" and over the road leading from the depot to the village was an arch trimmed with wreaths and evergreen, and bearing the inscription, "*Cape Cod welcomes with pride her long absent children.*"

A procession being formed, in order pre-arranged, under the direction of Col. George W. Hallet, the march was taken up through the principal streets, first to the pavilion, passing on their way a venerable looking representation of a house, on which was inscribed, "*Home of Andrew Hallet, built here in 1639.*" Near "the wharf-road" was another tasteful arch, on which appeared, "Commerce: the civilizer of the World.

‘Far as the waves extend or billows’ foam,
Behold our empire and survey our home.’ ”

It would occupy too much space to enumerate all the decorations that at different points met the eye. Citizens seemed to have vied with each other in tasteful and appropriate emblems at their respective residences.

At the pavilion the viands were spread and in waiting; after partaking of which, Chief Justice SHAW introduced the intellectual part of the banquet. After some devotional exercises, speeches followed and well-ordered toasts; in the speaking George Marston Esq., Rev. Mr. Cogswell, Gov. Washburn, Dr. J. V. C. Smith mayor of Boston, Hon. Josiah Quincy Jr., Richard Warren Esq. president of the Pilgrim Society, Hon. B. F. Hallett, Col. Hatch, Hon. Richard Frothingham, Col. J. H. W. Page, Col. G. W. Hallet, Mr. William S. Thacher, and others participated. A poem was pronounced by Frederick W. Crocker Esq. — A ball, in the evening, concluded the festivities.

We venture a single extract from the speech of Gov. Washburn on the occasion, because it is testimony from the right source — confirmatory of an honorable characteristic to which we have adverted p. 760. His words were:—

“Mr. President, this spot is to the rest of New England, and wherever a Cape Cod boy is to be found, what the holy city was to God’s people of old, where, on a Passover like this, they could come up and renew their vows of fidelity to their country and her institutions. If time permitted, sir, I might sustain what I have said of Cape Cod and her people by what we ourselves have witnessed, as well as by the rich memories of the past. Permit me to say,

that a few years since, I had the honor to hold a Court of Common Pleas in the County of Barnstable. Most of those present are aware that that Court has jurisdiction, directly or by appeal, on all criminal cases in the County, with the exception of capital offences, as well as on civil matters. They are aware, too, that there being only two terms in a year, all the business of the Court, civil and criminal, for half a year, is to be disposed of at one of these sessions. Well, sir, on the occasion to which I allude, I went there, and I met with the Grand Jury of the County. They retired for deliberation; and in less than fifteen minutes they returned and reported to the Court that there had been no crime committed in the County, within their cognizance. I went with them to the civil side of the Court, and I could not find, in the litigation of the County, that there stood a single case for trial. And, sir, the whole business of the County, both civil and criminal, with a population of thirty thousand souls, was done up, and the Court adjourned, in less than an hour's time. Sir, it was not poverty, it was not a want of industry and enterprise in the people of this County, that led to this dearth of crime and litigation; it was because it was *such* a population—so educated, so trained; and I do not believe that there is a parallel incident to this, in a free community so numerous as this, and embracing, as this does, its maritime and commercial interests, in the history of the world.”

NOTE K. (p. 668.)

NEW YORK CAPE COD ASSOCIATION.

THIS association organized April 21, 1856, celebrated its anniversary November 11, 1858, by a sumptuous dinner at the Astor House, and by the interchange of patriotic and fraternal sentiments, the president, EBEN. B. CROCKER Esq., in the chair. Addresses were made by the President, Messrs. James A. Smith, James M. Holmes, Richard Warren, R. Crocker Bodfish, John Gorham, E. W. Crowell, Rev. Matthew Hale Smith, and others. The occasion was one of much enjoyment. This association, embracing a large number of prominent and highly respectable gentlemen of Cape origin, seems to have adopted the plan of rotation in office. Mr. CROCKER, Mr. JAMES A. SMITH, and Mr. N. B. COLLINS have in succession presided over it. The certificate of membership is an elaborate and beautiful engraving, the centre of which represents the signing of the compact in the cabin of the Mayflower, with a view of the harbor of Provincetown as it was, and as it now is. Other emblematic devices adorn the margin.

NOTE L. (p. 736.)

JUSTICES OF THE PEACE.

THE appointments of Justices of the Peace, since the Union, including such as were commissioned *Quorum unus*, (the latter designated by being placed in small capitals,) have been:—

1692.	1728.	Saml. Knowles, E.
JOHN FREEMAN, E.	Thomas Payne, F.	Saml. Smith, S.
JOHN THACHER, Y.		SYLVS. BOURNE, Be.
JOHN GORHAM, Be.	1729.	JAMES OTIS, Be.
Stephen Skiff, S.	Shubael Baxter, Y.	
Jona. Sparrow, E.	Ezra Bourne, S.	1748.
Shearj. Bourne, S.	JOHN THACHER, Y., 1738.	Saml. Tupper, S.
1707.	1731.	1753.
Nathl. Freeman, H.	Thomas Clark, H.	John Freeman, H.
	JOHN RUSSELL, Be., 1739.	Barnabas Paine, T.
1709.		THOS. WINSLOW, H.
JOHN OTIS, Be., 1738.	1733.	JOHN STURGIS, Be.
JOSEPH DOANE, E., 1734.	John Davis, Be.	
	Ebenr. Lewis, Be.	1754.
	DAVID CROCKER, Be., 1747.	Kenelm Winslow, H.
1710.		
William Bassett, S.	1735.	1755.
Thomas Payne, E.	Joseph Robinson, F.	JOSEPH OTIS, Be., 1757.
		ROLAND COTTON, S.
1713.	1737.	
Peter Thacher, Y.	William Payne, E.	1756.
Saml. Sturgis, Be.		ISAAC HINCKLEY JR., Be.,
		[1757.
1715.	1738.	DAVID THACHER, Y., 1781.
John Doane, E.	Seth Parker, F.	
		1757.
1718.	1740.	Chilingsworth Foster, H.
John Bacon, Be.	Joseph Freeman, H.	
		1758.
1719.	1741.	EDWARD BACON, Be.
MELA'H BOURNE, S., 1727.	John Hallett, Y.	THOMAS SMITH, S.
1721.	1743.	1762.
Joseph Lothrop, Be.	Saml. Jennings, S.	SOLO. OTIS, Be., 1775.
Isaac Lothrop, Be.	SHUBAEL GORHAM, Be.	Roland Robinson, F.
		Judah Thacher, Y.
1723.	1744.	Jona. Doane, E.
Hezekiah Doane, E.	Silas Bourne, S.	Nathl. Stone, H.
		John Thacher, Be.
1727.	1747.	John Gorham, Be.
Edmund Freeman, H.	DAVID GORHAM, Be., 1753.	

NYMPHAS MARSTON, Be., [1772.	1789. Atherton Hale, Y.	Thos. Jones, F. Josiah Sampson, Be.
1768. Melatiah Bourne, S.	EBENR. BACON, Be., 1806. SAML. SAVAGE, Be., 1814. Isaac Sparrow, E.	1803. Gorham Lovell, Y.
1770. DANIEL DAVIS, Be., 1775.	1790. EBENR. CROCKER JR., Be., [1797.	1804. ELISHA DOANE, Y. 1820. Gideon Hawley Jr., M.
1771. Elisha Doane, W. Thos. Bourne, S. John Greenough, T.	1792. Joseph Parker, F.	1805. Isaac Clark, Br.
1773. SHEARJ. BOURNE, Be., 1781. Richard Bourne, F.	1793. Nathl. Freeman Jr., Be. SAML. WATERMAN, W., 1807.	1807. John Dillingham, H. Stephen Homer, D. Francis Weeks, F. John Freeman, S.
1775. Joseph Doane, C. JOSEPH NYE, S. SOLO. FREEMAN, H. NATHL. FREEMAN, S. RICHARD BAXTER, Y. Joshua Robinson, F. Moses Swift, S. Danl. Taylor, Be. Jona. Howes, Y. Zenas Winslow, H. John Atwood, H. Benj. Collins, T. Seth Freeman, S.	1794. Joseph Palmer Jr., F. Simeon Kingman, E.	1808. Hugh G. Donaldson, F. Nathan Nye Jr., S. BRAD. DIMMICK, F., 1829. Benj. E. Atkins, P. Jonas Whitman, Be. Benj. Bangs, H. Saml. Freeman, E.
1776. Nathl. Shiverick, F. THOS. PAINE, E.	1795. DAVID SCUDDER, Be., 1802.	1809. James Hincley, F. Daniel Pease, P. Calvin Tilden, Y. Nathan Stone, D.
1781. Ebenr. Jenkins, Be. JOSEPH NYE, H. Sylvs. SNOW, T. JOS. DIMMICK, F., 1808.	1796. Ebenr. Broadbrooks, H. Jeremiah Howes, D. David Nye, F. Elisha Perry, S. Jona. O. Freeman, S.	1810. Richard Lewis, Be. Jason Ayres, T. JOHN REED, Y., 1816. Anthony Snow, T. ISA. L. GREEN, Be., 1811.
1782. JOHN DAVIS, E., 1802. Elijah Knowles, E.	1797. Elisha Mayo, E. David Thacher Jr., Y. Sylvs. Nye, S.	1811. Benj. Percival, S. Israel Lombard, T. ELISHA POPE, S., 1826. Jona. Bangs, D. Joseph Hawes, Y.
1785. John Young, W.	1799. Sylvs. Stone, H.	1812. Jona. Bascom, O. JOB C. DAVIS, Be., 1823. Salmon Nye, Be. Ezra Crowell, C.
1786. Sturgis Gorham, Be. Abraham Williams, S. Joseph Snow, H.	1800. SOLO. FREEMAN JR., H., [1802. TIMO. PHINNEY, Be., 1815. Thos. Thacher, Y.	
	1801. WENDELL DAVIS, S., 1813. RICHARD SEARS, C., 1815. Jas. Freeman, S. Holmes Allen, Be.	
	1802. Timo. Bascom, O. David Parker, Be.	

William Cole, W.
 William Handy, S.
 Stephen Bassett, S.
 Benj. Burgess, S.
 ABNER DAVIS, Be., 1818.
 Joseph Bennet, F.
 JAMES CROWELL, Y., 1828.
 Jona. Nickerson, D.
 ELIJAH COBB, Br., 1819.

1813.

Josiah Whitman, W.
 Isaiah Chase, H.
 John D. Bangs, H.
 John Eldridge, Y.
 Joseph Parker, F. [1820.
 SAML. P. CROSSWELL, F.,
 Orsamus Thomas, P.
 Isaac W. Whitman, Br.
 David Crocker, Be.
 Wm. Myrick, O.
 Wm. Eldridge, H.
 Harding Knowles, E.

1814.

Henry Thacher, Y.
 NYMPHAS MARSTON, Be.,
 [1820.

1815.

Sylvester Baker, Be.

1816.

Thomas Swift, S.
 Nathl. Lewis, F.
 Joseph Blish, Be.
 Allen Hinckley, T.
 THOS. FISH, F., 1837.

1817.

NALER CROCKER, Be., 1828.
 Roland T. Crocker, Be.

1818.

John Kendrick, O.

1819.

Jona. Bangs, D.

1820.

RUSSELL FREEMAN, S.,
 Ebenr. Nye, F. [1824.
 Shubael Lawrence, F.
 Abraham Winslow, Br.
 RICHD. SEARS JR., C., 1822.

Ezra Crowell.
 Obed Brooks, H.

1821.

Melatiah Bourne, S.
 Joseph Sampson, Br.
 John Seabury, C.

1822.

Wm. Fessenden, S.
 Seth F. Nye, S.
 Nathan Nickerson, H.
 Rd. Sparrow, P.
 Reuben Arey, W.
 Elisha P. Fearing, F.

1823.

JOSI. BATCHELOR, P., 1824.
 Asa S. Bowley, P.
 Ward M. Parker, F.

1824.

Benj. Hallett, Be.
 Zenas Nye Jr., S.
 MATTHEW COBB, Be., 1829.
 Asa Young, Be.
 BENJ. SEABURY, O., 1825.
 Richd. S. Wood, F.
 Isaiah Bray, Y.
 Orren Howes, D.
 Jona. Freeman, Br.
 John Topping, C.
 Elisha Perry Jr., S.

1825.

John Jenkins, F.
 Freeman Marchant, Be.
 Jabez Howland, Be.
 Heman Tobey, S.
 Shadrack Freeman, S.
 Nathan Underwood, H.
 Nathl. Lincoln Jr., Br.
 GEO. COPELAND, Br., 1847.
 Thos. H. Tobey, S.

1826.

Lemuel Ewer, S.
 Henry Lawrence, S.
 JOHN DOANE, O., 1833.
 Caleb Reed, Y.
 Thos. Hilliard, P.
 William Green, Y.
 Isaiah Nye, C.

1827.

John Robinson, F.
 Joshua Atwood, E.
 Benj. Berry, Br.
 LOTH. DAVIS, Be., 1843.
 James Long, H.

1828.

TIMO. REED, Y., 1829.
 Timo. Phinney, Be.
 James Small, T.
 Joseph Eldridge, Y.
 Joseph Hall, S.
 Benj. Bourne, S.

1829.

Elijah Chase, H.
 Jeremiah Mayo, Br.
 Dean Bangs, Br.
 James Atwood, C.
 Solo. Rich, P.

1830.

Joseph Young, C.
 Nat. Underwood Jr., H.
 Jesse Collins, E.
 Wm. Lewis, Be.
 Benj. R. Witherell, W.

1831.

Henry Crocker, Be.
 John Freeman, Br.
 Nehemiah Baker, D.
 ELIJAH SWIFT, F., 1840.
 Wm. H. Fessenden, S.
 Chas. H. Freeman, S.
 Benj. Lewis, Be.
 John Kenney, T.
 Ezra Tobey, S.

1832.

Charles Marston, Be.
 Ebenr. Bacon, Be.
 Thos. Lothrop, P.
 Joshua Wixon Jr., D.
 Zacheus Hamblin, Be.
 Reuben Cahoon, H.
 Danforth P. Wright, Be.
 Jesse Boyden, S.
 Aaron Cornish, F.

1833.

Joseph Smith, Br.

Joshua Nickerson, C.
Josiah Sampson, Be.
Charles Bourne, F.
Saml. Baker, D.

1834.

JOHN ATKINS, P., 1839.
Simeon Crowell 3d, Y.
Isaiah Baker, H.
Ebenr. Freeman 2d, W.
Danl. P. Clifford, C.
Joshua P. Atwood, E.
Geo. W. Higgins, Br.
Bars. Hall, D.
Thos. Holbrook 2d, W.
Obed Brooks, H.
John B. Doane, Y.
James Berry, D.

1835.

SOLO. DAVIS, T., 1839.
Joseph P. Nickerson, H.
John Perkins, F.
Mulford Kendrick, H.
Sylvester Baker, Y.

1836.

Seth Crowell, D.
Thacher Ryder, C.
Joseph Atwood, C.
Nathl. Doane, H.
Michl. Collins, E.
Stephen C. Nye, Be.

1837.

Zebina Howes, D.
Geo. W. Donaldson, F.
Newell Hoxie, F.
Zeno Scudder, Be.
George Collins, E.
Darius Weeks, H.
Solo. C. Howland, S.
Prince Howes, Y.
Joseph White, Y.
GORHAM LOVELL, Y., 1845.

1838.

Miller W. Nickerson, D.

Frederic Davis, F.
Caleb S. Hunt, Y.
Collins S. Cole, W.
Neh. Crowell, D.
Rd. Sparrow, O.
Josiah Bacon, S.

1839.

Isaiah Bray, Y.
Isaiah Lewis, C.
Seth Hallett, Be.
Geo. King, F.
Isaac Kelly, H.
Marshal Underwood, H.
Daniel Bassett, Be.
Wm. Lewis, Be.

1840.

Josiah Sampson, Be.

1841.

Ephm. Taylor, C.
Jona. Nickerson, D.
Alex. Howes, D.
Wm. Field, H.
Isaac Sparrow, O.
Wm. Myrick, O.
Allen Hinckley, T.
Jerh. Shedd, T.
Nathl. P. Wiley, W.

1842.

Freeman Foster, Br.
Stephen Homer, D.
Saml. Eldridge, H.
Saml. P. Bourne, F.
Sparrow Horton, O.
Zenas R. Hinckley, S.
Joshua Small, T.
Joseph Hawes, Y.
Amos Otis, Y.
Reuben Arey, W.

1843.

Zenas D. Bassett, Be.
Saml. Knowles, E.
John C. Parker, F.
Rd. Baker Jr., H.
Giles Holbrook, W.

1844.

Chas. B. H. Fessenden, S.
Chas. Thacher, Y.
Edward Thacher, Y.
Richd. Libbey, W.
John Larkin, Y.
Bars. Paine, T.
Godfrey Rider, P.
Rufus L. Thacher, P.
George Lovell, Be.
Ferdinand G. Kelley, Be.
Nathl. Hinckley, Be.
Jabez Howland Jr., Be.
David Mayo, Br.
Anthony Smalley, Br.
Josiah Mayo, C.
Warren Rogers, C.
Obed Howes, D.
B. H. A. Collins, E.
Asa Phinney, F.
Nymphas Davis, F.
Sylvr. Bourne, F.
Nathl. Freeman, O.
Mason White, S.
Clark Hoxie, S.

1845.

Thomas Small, Br.
Moses Small, Br.
Isaac Hardy, C.
Myrick Clark, E.
Jesse Collins, E.
Howard Perry, S.

1846.

Nathl. Snow, C.
Elijah E. Knowles, E.

1847.

Elisha Taylor, Y.
JACOB MITCHELL, W.
Nathl. S. Simpkins, Y.

1848.

Chas. H. Bursley, Be.
James Chase, H.
Nathan B. Gibbs, S.

NOTE M. (p. 740.)

MILITIA.

A REORGANIZATION of the militia in 1781, which had remained nearly the same from the reorganization in 1776, (see p. 485,) was effected, (see p. 538,) to meet the requirements of the new constitution; and the following appointments and succession ensued:—

Brigadier Generals.

1781. Nath'l Freeman, of S.	1822. Jeremiah Mayo, Br.
1794. Joseph Dimmick, F.	1829. Ebenezer D. Winslow, Br.
1797. Ebenezer Lothrop, Be.	1833. Sabin Smith, S., to 1840.
1816. Elijah Cobb, Br.	

By Act regulating the militia 1785, the military of the county constituted "the BARNSTABLE BRIGADE," i. e. "the 3d Brigade of 5th Division."

Brigade Majors and Inspectors.

1781. Nath'l. Freeman Jr., of S.	1816. Joseph Sampson, Br.
1797. William Hinckley, Be.	1828. Sylvanus Hatch, F.
Joseph Blish Jr., Be.	1833. Jas. H. Bodfish, S.

Quartermasters.

Andrew Garrett, of Y.	1824. Charles Nye, S.
1818. Freeman Foster, Br.	1831. Elisha D. Winslow, Br.

Aids de Camp.

Richard Sears Jr., of C.	1829. Freeman Foster Jr., Br.
1822. Jonathan Freeman, Br.	

FIRST REGIMENT.

Colonels.

1781. Enoch Hallett, of Y.	1828. Eben'r Chamberlain, S.
1790. Joseph Dimmick, F.	1832. Sabin Smith, S.
Thomas Thacher, Y.	1833. Sylvester Bourne, F.
1806. David Nye, F.	1837. Thomas E. Loring, S.
1821. Obed B. Nye, S.	1838. B. S. G. Waters, S.

Lieut. Colonels.

- | | |
|-----------------------------|----------------------------|
| 1781. Joseph Dimmick, of F. | 1827. Sabin Smith, S. |
| 1790. Abraham Williams, S. | 1832. Sylvester Bourne, F. |
| David Nye, F. | 1833. Thomas E. Loring, S. |
| 1806. Nath'l Jenkins, Be. | 1837. Sylvanus Harlow, S. |
| 1821. Nathan B. Gibbs, S. | 1838. Elisha B. Faunce, S. |

Majors.

- | | |
|-----------------------------|--------------------------------|
| 1781. Micah Chapman, of Y. | 1806. John Freeman, S. |
| 1782. George Lewis, Be. | 1821. Joshua Nye, F. |
| 1790. Ebenezer Lothrop, Be. | 1828. Francis Nye, F. |
| Isaiah Hall. | 1831. Sylvanus B. Phinney, Be. |

Adjutants.

- | | |
|-----------------------------|------------------------------|
| 1781. Thomas Thacher, of Y. | 1826. Abram Nye, S. |
| 1790. Joseph Parker, F. | 1829. Theodore Kern, S. |
| John Nye, S. | 1834. Charles C. Nye, F. |
| 1820. James Tobey, S. | 1839. Josiah Melcher Jr., S. |
| 1822. Sewall Fessenden, S. | |

SECOND REGIMENT.

Colonels.

- | | |
|----------------------------|----------------------------|
| 1781. Benj. Godfrey, of C. | 1824. Isaiah Bray, Y. |
| 1790. Joseph Doane, C. | 1830. Nehemiah Baker, D. |
| Jonathan Snow, Br. | 1833. Rufus L. Thacher, H. |
| 1817. Joshua Hamblin, Y. | |

Lieut. Colonels.

- | | |
|---------------------------|------------------------------|
| 1781. Job Crocker, of Be. | 1820. Isaiah Bray, Y. |
| 1790. Elijah Knowles, E. | 1824. Gorham Crowell, Y. |
| J. Sparrow. | 1827. Eben'r D. Winslow, Br. |
| 1817. John Wetherill. | 1829. Sidney Underwood, H. |
| Hugh Nickerson. | 1830. Horatio Underwood, H. |

Majors.

- | | |
|---------------------------|------------------------------|
| 1781. William Gage, of Y. | 1824. John Topping, C. |
| John Wetherill. | 1827. Calvin B. Brooks, H. |
| 1806. Elijah Cobb, Br. | 1830. Darius Weeks, H. |
| 1817. Obed Baxter, Y. | 1832. Joshua Wickson Jr., D. |
| 1820. Allen Nickerson, C. | 1834. Dudley P. Blake, Y. |

Adjutants.

1781. Joseph Paine, of C.	1820. Joseph Hamblin, Y.
1790. Mulford Howes, C.	1830. Obed Brooks Jr., H.
Simon Kingman, O.	1834. Joseph Hale, Y.

THIRD REGIMENT.

Colonels.

1815. Watson Berry, of E.	1826. Joseph Holbrook 3d, W.
1820. Joshua Small, T.	1833. Samuel Stinson, E.

Lieut. Colonels.

1815. Moses Higgins, of O.	1830. Samuel Stinson, E.
1824. Josiah Lincoln, E.	1833. David Eldridge, O.

Majors.

1815. Henry Knowles, of O.	1829. Samuel Stinson, E.
1820. Joel Snow, E.	1830. John C. Knowles, T.
1826. Peter B. Walker, E.	

Adjutants.

1815. Michael Collins, of E.	1828. Cornelius Hamblen, W.
------------------------------	-----------------------------

BATTALION OF ARTILLERY :

· Consisting of Companies at F. and Br.

Majors.

1811. Benj. Foster, of Br.
1820. Jeremiah Mayo, Br.
1821. Nath'l Shiverick Jr., F.

Adjutants.

1812. Joseph Sampson, of Br.
1815. William Freeman, Br.
1819. Ezek'l H. Higgins, Br.
1823. Samuel Shiverick Jr., F.

Captains : of Falmouth Co., org. Aug. 14, 1806.

1806. Western Jenkins, of F.	1822. Jesse Noble.
1819. Nath'l Shiverick.	1826. Sylvanus Hatch.

Captains : of Brewster Co., org. 1810.

1810. Benjamin Foster, of Br.	1820. Freeman Higgins.
1812. Abiel Crosby.	1822. William Shiverick.
1819. Jeremiah Mayo.	1823. Josiah Winslow.

This Battalion was disbanded in 1831.

The condition of the State militia and the fluctuations of statute laws relating to the same, have been such of late years that it is inconvenient to pursue this matter further in our History.

NOTE N. (p. 760.)

GRADUATES.

WE shall not undertake to furnish a catalogue of all who, either born here, or become residents here, were graduates; but those that occur to us upon a slight examination—including, be it understood, such as *became* citizens of the Cape, are:

1653, <i>Thomas Crosby</i> , H. C.	1733, <i>Roland Thacher</i> .	1777, <i>Edward Bangs</i> .
1669, <i>Saml. Treut</i> .	Edmund Freeman.	1779, <i>Thos. Roby</i> .
1675, <i>Jona. Russel</i> .	<i>Saml. Tobey</i> .	<i>Levi Whitman</i> .
1681, <i>John Cotton</i> .	David Gorham.	Sylvs. Bourne.
1685, <i>Roland Cotton</i> .	1734, <i>John Walley</i> .	1780, <i>Thos. W. Russell</i> .
1687, <i>Seth Shove</i> .	<i>Joseph Crocker</i> .	1781, <i>Isaiah L. Green</i> .
1690, <i>Nathl. Stone</i> .	1735, <i>John Osborn</i> .	Elisha Doane.
1691, <i>Joseph Lord</i> .	1736, <i>Zohith Smith</i> .	1784, <i>Jona. Burr</i> .
1697, <i>Hugh Adams</i> .	1737, <i>Edward Cheever</i> .	1785, <i>John Atlyn</i> .
1699, <i>Daniel Greenleaf</i> .	<i>Jona. Ellis</i> .	1786, <i>Jona. Leonard</i> .
1703, <i>Joseph Metcalf</i> .	<i>Saml. Cobb</i> .	<i>Henry Lincoln</i> .
1704, <i>John Russell</i> .	<i>Josiah Lewis</i> .	<i>John Simpkins</i> .
1706, <i>John Avery</i> .	1738, <i>Josiah Crocker</i> .	1787, <i>Nathaniel Freeman</i> .
1707, <i>Thomas Prince</i> .	1740, <i>Isaac Hinckley</i> .	1788, <i>Nathan Underwood</i> .
John Otis.	1741, <i>Grindall Rawson</i> .	1791, <i>Eph. Briggs</i> .
<i>Matthew Short</i> .	Isaiah Dunster.	1792, <i>James Hawley</i> .
1708, <i>Josiah Oakes</i> .	<i>John Howland</i> .	<i>Philander Shaw</i> .
<i>Jona. Russel</i> , Y. C.	Loring Cushing.	1794, <i>Timo. Alden</i> .
1710, <i>John Cotton</i> , H. C.	1743, <i>Shearj. Bourne</i> .	1795, <i>Nathl. Stone</i> .
1711, <i>Joseph Russell</i> .	William Bourne.	1796, <i>Wendell Davis</i> .
<i>John Chipman</i> .	James Otis.	1797, <i>Elisha Clap</i> .
1713, <i>Benj. Crocker</i> .	<i>John Crocker</i> .	<i>Freeman Parker</i> .
1715, <i>Samuel Spear</i> .	Lothrop Russell.	Nymphas Hatch.
<i>Benj. Webb</i> .	<i>Benj. Webb</i> .	1799, <i>Isaiah Alden</i> .
1716, <i>David Crocker</i> .	Elisha Tobey.	<i>Martin Alden</i> .
1717, <i>Nathl. Cotton</i> .	1744, <i>Abraham Williams</i> .	<i>Jotham Waterman</i> .
Solo. Otis.	<i>Caleb Upham</i> .	1800, <i>Lemuel Shaw</i> .
<i>Thomas Paine</i> .	John Annable.	1802, <i>Nathan B. Crocker</i> .
1718, <i>Nathan Prince</i> .	1746, <i>Benj. Fessenden</i> .	<i>Caleb Holmes</i> .
<i>Benj. Fessenden</i> .	<i>Joseph Green</i> .	Wm. Bascom.
Cornelius Nye.	1749, <i>Gid. Hawley</i> , Y. C.	1804, <i>Timo. Davis</i> .
1719, <i>Roland Cotton</i> .	1750, <i>John Sturgis</i> , H. C.	1805, <i>John Whitman</i> .
1720, <i>Shearj. Bourne</i> .	1751, <i>John Russell</i> .	Joseph Bennett.
<i>Joseph Green</i> .	1754, <i>Saml. West</i> .	1807, <i>Phineas Fish</i> .
<i>Josiah Marshall</i> .	1758, <i>Oakes Shaw</i> .	<i>Ezra S. Goodwin</i> .
1721, <i>John Taylor</i> .	1759, <i>Saml. A. Otis</i> .	<i>Nymphas Marston</i> .
<i>Barnabas Taylor</i> .	Ebenr. Taylor.	Seth F. Swift.
1722, <i>Josiah Cotton</i> .	1760, <i>Josiah Crocker</i> .	Levi Whitman.
<i>Joseph Bourne</i> .	1762, <i>Timo. Alden</i> .	1810, <i>Francis Bassett</i> .
1723, <i>John Sturgis</i> .	<i>Nathan Stone</i> .	<i>Joseph Haven</i> .
<i>Jona. Mills</i> .	1764, <i>Benj. Bourne</i> .	John Savage.
<i>Isaiah Lewis</i> .	Shearj. Bourne.	1813, <i>Edward Hinckley</i> .
<i>Josiah Dennis</i> .	<i>Timo. Hilliard</i> .	1815, <i>Geo. Copeland</i> , B. U.
1724, <i>David Hall</i> .	<i>Ephraim Briggs</i> .	<i>Edm. Q. Sewall</i> , H. C.
Solo. Lombard.	1765, <i>Josiah Crocker</i> .	1817, <i>Benj. F. Hallett</i> , B. U.
1725, <i>Saml. Sturgis</i> .	1766, <i>Samuel Savage</i> .	<i>Benj. Fessenden</i> , H. C.
<i>Saml. Freeman</i> .	1767, <i>Asarelah Morse</i> .	1820, <i>Henry Hersey</i> , B. U.
<i>Thomas Smith</i> .	1768, <i>Saml. Parker</i> .	1821, <i>Eliph. P. Crafts</i> .
1726, <i>Nathan Stone</i> .	1770, <i>John Mellen</i> .	1823, <i>Wend. B. Davis</i> , H. C.
<i>Joseph Green</i> .	<i>Zebulon Butler</i> .	1824, <i>Alfred Greenwood</i> .
1727, <i>Saml. Palmer</i> .	1771, <i>Saml. Nye</i> .	1829, <i>Frederick W. Crocker</i> .
1728, <i>Prince Hawes</i> .	Isaac Bangs.	Geo. T. Davis.
1729, <i>Ward Cotton</i> .	1772, <i>Jonas Whitman</i> , Y. C.	1833, <i>Thos. R. Bourne</i> .
<i>Job Parker</i> .	1774, <i>Saml. Emery</i> .	1838, <i>Wendell T. Davis</i> .
1730, <i>Stephen Emery</i> .	1775, <i>James Otis</i> , H. C.	1844, <i>Philip H. Sears</i> .
<i>Edward Pell</i> .	1776, <i>Jude Damon</i> .	Judah Crowell.
<i>John Dennis</i> .	1776, <i>Geo. Thacher</i> .	1854, <i>Henry Cobb</i> .
1731, <i>Ephm. Avery</i> .	<i>Benj. A. Upham</i> .	

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ERRATA.

The reader is requested specially to correct the following mistakes:—

Page 361, last line of note, omit "*who d. Mar. 18, 1725.*" It was the father's death that occurred at that time.

" 362, 2d line of notes, for "*Rev. Silas*" read Rev. Shearjashub.

" 373, 9th line of note from bottom, for "*m. with Eliza.*" read Lydia.

" 393, 6th line from top of page, for "*continue,*" read contrive.

4

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